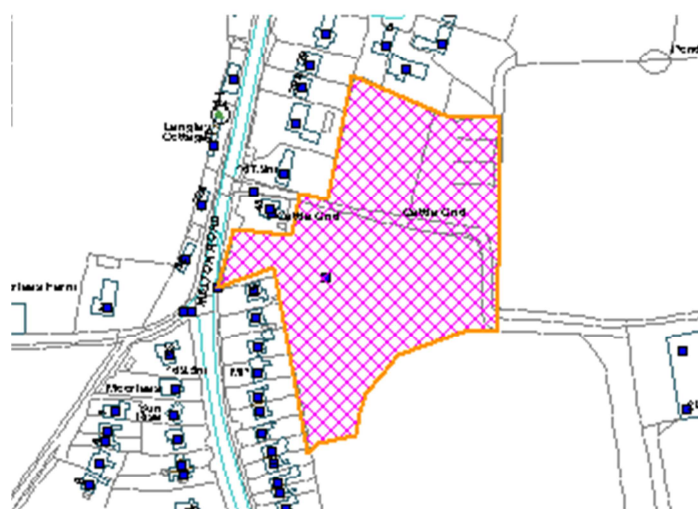


**Reference:** 15/01011/OUT  
**Date submitted:** 19.05.2015  
**Applicant:** K & A Watchorn & Sons - Mr M Watchorn  
**Location:** Field 1357, Melton Road, Waltham On The Wolds  
**Proposal:** Residential development of up to 45 new dwellings, together with new areas of public open space, access, landscaping and drainage infrastructure.



**Proposal :-**

This application seeks **outline planning permission for up to 45 dwellings** (including 16 affordable: 36%) of a mix of single storey and two storey 2 and 3 bedroom properties. The land falls outside of the village envelope for Waltham on the Wolds. Access to the site is proposed directly from Melton Road between nos. 45 and 51 where the field meets the road, and will involve the relocation of the existing traffic refuge close to this point further to the north east by approx. 20m. The site is considered to be greenfield site with no presumption in favour of development

This application is a re-submission of application 15/00398/OUT which was refused permission in December 2015 (see below). The scheme now proposes that 36% affordable housing will be provided and seeks to address the other reasons for refusal.

**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**
- **Reasons for refusal of 15/00398/OUT**

The application is required to be presented to the Committee due to the level of public interest and the planning history of the site.

**History:-**

15/00398/OUT – Residential development of up to 45 new dwellings, together with new areas of public open space, access, landscaping and drainage infrastructure. The application was refused planning permission on 10 December 2015 for the following reasons;

1. The development would generate additional pedestrian use (including children crossing), increased traffic and additional turning movements on the A607 Melton road that is used by high volumes of traffic. This would result in an increase in the risk of accidents and would be severely detrimental to road safety.
2. The proposed development makes insufficient provision for affordable housing and therefore fails, to provide an appropriate mix of housing to reflect local demand. The proposal is therefore contrary to the requirements of para.50 of the NPPF and Policy H7 of the Adopted Melton Local Plan.
3. The proposed development would represent over development of the site, which would be out of keeping with the style and pattern of the surrounding development and village Waltham on the Wolds. The development would not contribute to the ‘sense of place’ nor respond to local character and history, and reflect the identity of local surroundings. It would therefore be contrary to the requirements of para. 58 of the NPPF.
4. The proposal would make insufficient contributions to local infrastructure to offset the harm it would give rise to. It is therefore considered that, taken as a whole, the benefits of the application are significantly outweighed by the adverse effects and is therefore contrary to the ‘presumption in Favour of Sustainable Development’ as set out in para 14 of the NPPF.

**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><b>Highways Authority: No objection, subject to conditions</b></p> <p>Development shall not begin until details of the design for off-site highway works being the proposed road junction and relocation of the central island shown generally on drawing number ADC1087/002 Rev C submitted within the Highways Report, have been approved in writing by the local planning authority; and no dwelling in the development shall be occupied until that scheme has been constructed in accordance with the approved details.</p> <p>Before building works first commence on site the visibility splays shown on drawing number ADC1087/002 Rev C, out of the proposed site access in each direction on to Melton Road, shall have been provided. These shall be in accordance with the standards contained in the current County Council design guide and shall thereafter be permanently so maintained. Nothing shall be allowed to grow above a height of 0.6 metres above ground level within the visibility splays.</p> <p>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 in consultation with the Highway Authority before development commences.</p> <p>The site shall be served by a sing point of vehicular access only from Melton Road, as shown generally on the submitted plans.</p> <p>If any vehicular access gates, barriers, bollards, chains o other such obstructions are to be erected to the main site access off Melton Road (should it remain as a private access), they shall be set back a minimum distance of 25 metres behind the highway boundary and shall be hung so as not to</p>	<p>The access arrangements have been previously amended following initial concerns, to relocate the central island further to the north - east and formalise it as a crossing point. This has been achieved with adequate carriageway width to allow for the flow of vehicles using the road (3.4m carriageways).</p> <p>This location is closer to the school and as such considered to be a positive amendment.</p> <p>The access itself is demonstrated to be of sufficient geometry to satisfy HA standards and can be provided with the requisite sightlines for an access within the 30 mph zone (2.4 x 48m).</p> <p>While the Local Highway Authority did not advise refusal of the previous application they have re-considered the possible impact of this development upon highway safety. In particular they have examined in detail the concerns of the Committee with regards to the increased children crossing the A607 . They consider that the provision of a new pedestrian crossing with central refuge island, should not only provide a safe crossing point for children from the development site, but for all other pedestrians wishing to cross the road. The central island will also help act as a traffic speed calming feature too, and therefore this would also help improve highway safety not just at the crossing and the site access but reduced speeds on Melton Road would be beneficial for general highway safety too.</p> <p><b>Having re-examined this aspect of the proposal there are considered to be no grounds to resist permission based on highways issues.</b></p>

<p>open outwards.</p> <p>The existing vehicular access currently serving the site, between nos. 43 and 45 Melton Road that becomes redundant as a result of this proposal shall be closed permanently and the existing vehicular crossings reinstated in accordance with a scheme that shall first have been submitted to and approved by the LPA in consultation with the Highway Authority within one month of the new access being brought into use.</p> <p>The Parish Council have expressed concerns about the speed of traffic on Melton Road, and as the measured speed of traffic recorded is above 30 mph in each direction, perhaps the development if permitted should provide for Vehicle Activated Signs on both approaches on Melton Road, to try to ensure the speed of traffic is no higher than 30 mph, both for the safe operation of the access and the pedestrian crossing.</p> <p><b>Comments on previous amendments (showing revised position of central refuge):</b> The access plans are now acceptable,</p> <p>Details of internal layout do not meet standards but it is understood these are not for approval at this stage.</p>	
<p><b>LCC Rights of Way Officer</b></p> <p>Public Footpaths E99 and F1 run diagonally through the proposed development. Both Footpaths have been retained on their existing lines within the proposed site layout.</p> <p><b>No objection to the application</b> provided the effect on public's use and the following:</p> <ul style="list-style-type: none"> <li>• Footpaths should, be 2m wide with 1m verge either side.</li> <li>• Provision of an all-weather surface</li> <li>• Planting should allow 1m clearance</li> <li>• No new gates or stiles without the necessary consents</li> <li>• Alternative routes provided if temporary closure is required</li> <li>• Damage repaired at the developers expense</li> <li>• Safety measures in place during construction</li> <li>• Signage provided</li> </ul>	<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><b>LCC Ecology – No objection, subject to conditions securing mitigation.</b></p> <p>Our comments to the earlier application remain valid and are below;</p> <p>The previously updated report (FPCR, July 2015) containing the additional bat and great crested newt surveys. We note that the further GCN</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><b>The Ecology report has been independently</b></p>

<p>surveys recorded a maximum of 3 GCN in pond 4 and also recorded eggs in pond 5, indicating that the area supports a small, breeding, GCN population.</p> <p>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 in the north-eastern boundary area of the 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><b>assessed and raises no objection from the County Council Ecologist, subject to mitigation as proposed.</b></p>
<p><b>Environment Agency</b></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"> <li>• a high risk to the environment</li> <li>• those that are able to offer significant environmental benefit.</li> </ul> <p>The Environment Agency has reviewed the above application and feel that, as presented, the development is in Flood Zone 1, it does not fall under either of the above categories, and therefore do not wish to comment further on these proposals.</p>	<p>Noted.</p> <p>The proposal was accompanied with a Flood Risk Assessment which did not highlight any known risks</p> <p><b>It is concluded that the proposed development is appropriate for the flood risk and is not expected to increase the flood risk elsewhere.</b></p>
<p><b>Lead Local Flood Authority:</b></p> <p><b>No objection subject to conditions:</b></p> <p>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 LPA.</p> <p>The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of two treatment trains to help improve water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off onsite up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features.</p> <p>The scheme shall be fully implemented and subsequently maintained, in accordance with the</p>	<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’, amendments to the FRA have discussed the maximum rate of discharge and potential over flow routes, all of which can be conditioned to be submitted at reserved matters stage.</p> <p>It also examines the possibility of a SUDS solution and calculates capacity required.</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>timing and phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the LPA.</p> <p>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.</p>	
<p><b>Severn Trent Water Authority:</b> No objection subject to conditions requiring details of foul and surface water disposal.</p>	<p><b>Noted.</b></p>
<p><b>Parish Council: Objects</b></p> <p><b>Over-development of the village:</b></p> <p>The first reason for objection is the size and density of the proposed development. 45 dwellings, plus 26 already approved, represents an unmanageable increase of about 18% to the size of the village. This would change the special rural character of Waltham and strain local amenities and infrastructure. There is also concern about the large number of houses for the size of the plot. The density is inconsistent with the rural nature of the village and not commensurate with good housing design. The size of the 'green' is very small and is unlikely to be a shared space for villagers.</p> <p><b>Road safety and sustainable transport:</b> It is unlikely that all the new residents of working age will be employed in Waltham and will therefore commute, probably to Melton or Grantham. Public transport to and from the site is poor (infrequent, limited hours and not synchronise with national transport) so cars will be the main mode of transport, adding to greenhouse gas emissions and traffic congestion in local towns.</p> <p>There are also serious safety concerns about the location of the site access onto the A607. Studies here have recorded traffic speeds considerably in excess of the 30mph limit. Poor line of sight around the bend, plus the closeness to the junction opposite with Moor Leas Lane, will create a danger for vehicles exiting and entering the site. Pedestrians crossing the A607, including children crossing to the local school, will also be at risk. The highway design included with the application does not adequately address these issues.</p> <p><b>Destruction of the Natural Environment:</b></p>	<p>The application is in 'outline' without details of the layout provided. However the density proposed at 23 houses per ha. Is illustrative and it is not considered to be excessive.</p> <p>The village of Waltham on the Wolds is considered to a sustainable village due to the local services available to residents and public transport options linking Melton and Grantham towns. This has been reinforced in several decisions made by MBC and by Inspectors on appeal.</p> <p>Sightlines are adequate for the location proposed and the junction is adequately spaced from Moor Lees Lane to prevent conflict.</p> <p>The site has been surveyed for protected species and bats and newts have been found. Provisions</p>

<p>The proposed site is a valuable green space on the edge of the village. It is accessible to villagers and nature lovers alike via two public footpaths. The Mowbray Way is particularly significant, linking the Viking and Jubilee Ways. We agree with the Melton Ramblers' objection: footpaths need to be in their own green corridor (currently the case as they pass through Waltham, apart from a very short road section).</p> <p>The surrounding green space is an essential part of the character of Waltham. The site is a sanctuary for wildlife: red kites, barn owls, buzzards, bats, kestrels, hares, foxes, muntjac deer and numerous other species have been observed there recently. We believe that an independent Ecology Assessment must be available before a planning decision is taken (note: although an Ecology Report is referred to in LCC's consultation reply, this document is not available on the MBC portal).</p> <p>.</p> <p><b>Groundwater Flooding:</b> There is an historic reason why the plan of Waltham has developed in the way that it has, avoiding groundwater flooding. Dr David Jefferson's paper 'summary of the Geology and Hydrogeology of Waltham on the Wolds' was submitted in relation to planning application 14/00777/FUL and is also attached here. Dr Jefferson has confirmed the problems also apply to this site and has supplied the attached diagram to support that view. The paper describes the 'perched' water table that exists to the south and east of the village. Its impact has been experienced on the Fair Field development where land drains under the subject field connect to our surface drainage system. Residents along the south east side of Melton Road have also experienced problems.</p> <p>Other symptoms of this high water table and the standing water on the proposed site and the flow of water out onto the Melton Road at times of prolonged rain. The developer's strategy to deal with this ground water is unclear. The application form indicates that surface water will be disposed of via the main combined sewer (with a pond acting as a buffer) but there is no mention of groundwater.</p> <p>We submit that a much more robust surface water strategy is required to prevent sporadic flooding to both the development and to neighbouring homes.</p>	<p>and mitigation have been incorporated into the plans which have been assessed as adequate by independent ecological advisors.</p> <p>The application is accompanied by a flood risk assessment and drainage strategy that has been the subject of consultation with the relevant expert bodies.</p> <p>This recognises the issues of a high water and groundwater and also that because of the geology of the site is not suitable for infiltration. It therefore proposes a positive drainage proposal in the form of SUDS (following the requirement of national policy where infiltration is not possible).</p> <p>This has calculated the capacity of surface water attenuation for the scale of the site, sufficient to accommodate 1:100 rainfall event (the standard required by National Policy) and additional 30% allowance for climate change, which would then be released into the combined sewer in a controlled manner so that it only does so when capacity is available. Severn Trent has advised that capacity exists for this approach.</p> <p>Therefore the development would therefore result in water that currently falls on the site and infiltrates or flows across its surface being intercepted and dealt with positively. As such it will not increase the quantity or speed at which it enters the aquifer beneath the site and would not lead to pressure for the aquifer to discharge (either on the site or elsewhere), and would intercept exiting across-land flows to adjacent properties and onto Melton Rd.</p>
<p><b>Developer Contributions: s106</b></p> <p><b>Highways:</b> To comply with Government guidance in the NPPF, the CIL Regulations 2011, and the County</p>	<p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be</p>



Council's Local Transport Plan 3, 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.

- **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 (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 supplied through LCC at (average) £350 per pass
- New/Improvements to 2 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 2 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120 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.

**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 **£3720** (to the nearest pound).

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.

The existing Civic Amenity Site serves a large number of households, the level of the amount reflects the proportional impact of the contribution and is therefore likely to be pooled but for the particular (Melton Mowbray) Civic Amenity Site which would serve the proposed development.

The developer contribution would be used on project reference MEL005 at the Melton Civic

necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.

**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.**

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.

**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>Amenity Site. Project MEL005 will increase the capacity of the Civic Amenity Site at Melton by:-</p> <ul style="list-style-type: none"> <li>• New compactors 2015.</li> </ul> <p>There are no other known obligations from other approved developments, since April 2010, that affect the Melton Civic Amenity Site which may also be used to fund project MEL005.</p> <p><b>Libraries</b> –The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area.</p> <p>The proposed development on Melton Road, Waltham is within 7.5 km Melton Mowbray Library on Wilton Road, being the nearest local library facility which would serve the development site. <b>The library facilities contribution would be £1360</b> (rounded up to the nearest £10). It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for materials, e.g. books, audio books, newspapers and periodicals etc. for loan and reference use to account for additional use from the proposed development.</p> <p>The contribution is sought for fixtures and fittings to account for additional use from the proposed development. It will be placed under project no. MEL007. There are currently four other obligations under MEL007 that have been submitted for approval.</p> <p><b>Education – no contribution requested:</b></p> <p>The site falls within the catchment area of Waltham Primary School that has a <b>surplus of 24 places, including accounting for this development.</b></p> <p>This site falls within the catchment area of Belvoir high School. The School has a <b>surplus of 111 places, including accounting for this development.</b></p> <p>The site falls within the catchment area of Melton Vale Post 16 Centre. The College has a <b>surplus of 151 pupil places, including accounting for this development.</b></p>	<p><b>The contributions requested for mitigation against libraries are a tariffed style requests that will be ‘pooled’. Under CIL Reg. 123(3) no more than five contributions can be pooled for any single infrastructure project.</b></p> <p><b>The request for improvements to the civic amenity site and libraries have been allocated to a 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..</b></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><b>Building Control:</b> In respect of the proposed site layout, there does appear issues with travel distances to the refuge appliance but, satisfactory for fire access.</p>	<p>Noted.</p> <p>The application is in outline with layout reserved for later approval. These issues would be assessed upon consideration of the layout.</p>

**Representations:**

Site notices were posted and neighbouring properties consulted. As a result **14 letters of objection have been received from 12 separate households**; the representations are detailed below:

<b>Representations</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Impact upon the Character of the Area</b></p> <p>The size of Waltham will grow and lose its character</p> <p>The dwellings should be in keeping with the general appearance of the village. At the point on Melton Road where they are planned, there is an abundance of bungalows, which of course will be overlooked by any houses built</p> <p>The size of the development has not changed since the previous submission</p>	<p>An illustrative masterplan has been developed by the agent following consideration of the constraints and opportunities identified in the accompanying technical reports.</p> <p>The indicative masterplan 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.</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 23 dwellings per hectare. This density generally reflects that of the adjacent residential area and is considered to be appropriate to for the edge of setting location.</p>
<p><b>Impact upon Highway Safety:</b></p> <p>Traffic along the A607 is heavy and pose dangers</p> <p>Proposed sightlines at the new access are inadequate</p> <p>The road is already busy and vehicles speed. 90 more vehicles plus those from the applicants campsite will be added</p> <p>Waltham is used as a diversion when the A1 is closed; this has not been taken into account</p>	<p>The plans incorporate sight lines suitable for the speed of traffic and propose to relocate the crossing island further north. Its design shows it to be adequate with sufficient carriageway width either side.</p> <p>The location of the access offers a clear line of site to and from Moor Lees Lane and as such it is considered that drivers will be able to use both accesses avoiding conflict.</p> <p>The proposal includes relocation of the crossing island and the provision of carriageways either</p>

<p>Traffic accidents have occurred in the area:</p> <ol style="list-style-type: none"> <li>two cars have careered off the main road crashing straight through the hedge of 32 Melton Rd and into the garden.</li> </ol> <p>There has been a multiple car (approx. 7 cars) pile up as a result of black ice which formed from the runoff water from the farm fields and the new estate roads (Fairfield) onto the main Melton Road. In this accident, one vehicle was a lorry that knocked down the telegraph pole across the road blocking all traffic, one car ended up in a neighbour's greenhouse, several others ran into each other, closing the road for several hours.<sup>3</sup> There have been numerous accidents related to the central road chicane outside no 32. On at least two occasions the vehicles ran over the top of the chicane, seriously damaging it and leaving exposed electrical wires.</p>	<p>site of 3.4m. As such it will not impede passing traffic, including HGV traffic (this width has been specified particularly because the A607 is a route used by HGV's).</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 access will be to adopted standard with drainage etc and will not affect or replicate the drainage issues associated with Fair Field.</p>
<p><b>Impact upon residential Amenities</b></p> <p>Loss of privacy to existing residents that border the proposed development.</p> <p>Buffering proposals have not been specified</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><b>Drainage</b></p> <p>There is an existing problem with run off from the field to the houses on Fairfield and Melton Rd, and off the site into the village system which at times cannot cope</p> <p>The site has a high water table. There are issues associated with Fairfield for the same reason.</p> <p>Soakaways do not work due to the water table</p> <p>The Fair field development was not provided with adequate drainage, relying instead on existing surface water sewers</p> <p>The road (A607) suffers from water damage at present</p> <p>There is no guarantee the drainage arrangements will be effective</p>	<p>The application is accompanied by a Flood Risk Assessment and drainage strategy that recognise that infiltration (soakaways) is not possible and disposal into the existing 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 (calculated, with 30% allowance for climate change) which would only be released when capacity was available.</p> <p>Severn Trent or 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><b>Impact upon Ecology/Conservation</b></p> <p>The site is a haven for wildlife</p>	<p>The Ecology surveys submitted with the proposal have identified the presence of protected species and these have been addressed</p>

<p>The wildlife study should be independent. The application should be accompanied by and Environmental Assessment</p>	<p>by mitigation schemes. The surveys and their recommendations been independently assessed by our Ecological advisors..</p>
<p><b>Schooling</b></p> <p>The school has limited capacity and structurally cannot accept more pupils. Over demand could result in the school closing.</p> <p>The developers also need to liaise with Waltham School Headteacher over the needs of the school to cope with the increased intake of children, based on the type of houses being built and the expected new demographic.</p>	<p>The Education Authority (EA) has been consulted and advises that there is capacity within the school for the number of children anticipated from a development of this scale.</p> <p>Following the receipt of these local concerns the Education Authority re-assessed their response and visited the school. They have reiterated that there is a surplus of 24 spaces which can accommodate the 11 primary aged children which are likely to be generated by this development</p>
<p><b>Facilities</b></p> <p>The sewerage system is already overstretched, resulting in odour for several months</p> <p>The bus service to Grantham has been reduced and timings do not allow children to reach Grantham by 9am</p>	<p>Severn Trent has no objection to the proposal on either capacity or functionality grounds.</p>
<p><b>Planning Policy</b></p> <p>Waltham has grown steadily and an increased by 22% since 2011. It has therefore made a fair contribution to increasing housing supply. This development would result in the growth of Waltham by 55% since 2011</p> <p>The village envelope has been effective. Applications should not take advantage of the absence of an up to date local plan Decisions should wait until the new local plan is in place proposed development is outside the village envelope and contrary to the saved policies of the Melton local plan, Policy OS2, Policy H8. Policy BE1</p> <p>Green fields and farmland should be protected from development</p> <p>Should this application go ahead and the</p>	<p>The proposal is contrary to the local plan policy OS2 however as stated above the NPPF is a material consideration of some significance because of its commitment to boost housing growth.</p> <p>The NPPF advises that local plan 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 cannot demonstrate a five year land supply and as such housing policies are deemed out of date.</p> <p><b>Several appeal decisions have confirmed that the Local Plan’s Village Envelope policy (OS2) is incompatible with the NPPF and therefore out of date, and therefore the NPPF should take precedence.</b></p> <p>However this on its own is not considered to weigh in favour of approving development where harm is identified, such as being located in an unsustainable location.</p> <p>The site is a greenfield site where there is no presumption in favour of development however the harm attributed by the development are required to be considered against the benefits of allowing the development in this location.</p> <p>The Draft Local Plan Emerging Options set out</p>

<p>proposed development in the High Street be approved, these will contribute approximately 80 dwellings towards the 100 in the Local Plan. Surely any building approvals should be spaced over the next 20 years rather than an 80% take-up in the first year or two</p>	<p>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.</p>
<p><b>Housing need and mix</b>  There is limited demand for affordable houses, only 2 applications at present   Development such as this and as proposed on High St are not suitable to meet local needs   There is no need for such a number of dwellings</p>	<p>There is a housing shortage nationally and the Borough of Melton is no different. Historically the Borough has failed to provide housing and is not in a position to demonstrate a 5 year land supply. Between 2011-2015 351 new homes were built, based upon the requirements of the Strategic Housing Market Assessments 908 were needed (245 per year). From sites currently under construction or with valid planning permission the Council can demonstrate a deliverable supply of 800 new homes which equates to approximately 2.5 year land supply. The most recent evidence indicates that there is need for 37% of new homes to be ‘affordable’ (90 per year).</p>
<p><b>Other Considerations</b>  The granting of this permission will create a precedent   Potential Fly tipping of existing farm access once blocked off   Amendments to previous application</p>	<p>Each application is considered on its own merits and the outcome of this will not affect subsequent proposals.   Should there be occurrences of Fly tipping, these can be reported to the Council and assessed under the relevant service provision.   The submitted application has increased the number of affordable dwellings to the scheme and previous reasons for refusal have been assessed by the relevant bodies.   After discussions with third parties, no objections have been raised to this outline application subject to conditions ensuring additional information at a reserved matters stage.</p>

**Other Material Considerations, not raised through representations:**

Consideration	Assessment of Head of Regulatory Services
<p><b>Neighbourhood Plan</b>   Concern that development should not go ahead until the Neighbourhood Plan is complete.</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</i></p>

	<p><i>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><b>It is considered that the NP is not in the position to which the National Guidance advises ‘prematurity’ concerns can be applied, and therefore not considered that a refusal could be reasoned on the grounds of prematurity in light of the above factors.</b></p>
<p><b>Housing type</b></p> <p>The configuration and Housing mix provided</p>	<p><b>Housing Mix:</b> 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><b>Affordable Housing</b> The application proposes 16 affordable units, details of which would follow at reserved matters stage.</p> <p>This equates to 36% and is not a proportion significantly less than the 37% identified by the most up to date evidence (the SHMA 2014)</p> <p>Recognising the concerns of the Committee in relation to the level of affordable housing provision previously proposed, this application has revisited assumptions in their original appraisal, taking account of comments made by the District Valuer. Revised assumptions particularly relating to land values has allowed an increase to the affordable housing to be provided by 2 dwellings to a total of 16 dwellings bringing the total proportion of affordable units to 36%.</p>
<p><b>Sustainability</b></p>	<p>Waltham is considered to perform reasonably well in sustainability terms owing to its community facilities and transport links. <b>Recent decisions made by the Council and on appeal by the Secretary of State have described it as a sustainable location</b> for housing for these reasons and there have been no material changes to this position in the interim. <b>It is therefore considered that it could be impossible to refuse the application of the basis of the sustainability of the location.</b></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>
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**Conclusion**

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

The Borough is deficient in terms of housing land supply more generally and this would be partly addressed by the application, Affordable housing provision remains one of the Council’s key priorities. This application presents some affordable housing that helps to meet identified local needs.

Accordingly, the application presents a vehicle for the delivery of affordable housing, with this re-submission proposing an increase from 14 to 16 units of affordable housing which is negligibly below the requisite amount required for an application of 45 dwellings.

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.

In terms of previous reasons for refusal, this application has been fully assessed by statutory consultees, none of whom have recommended refusal of the scheme.

The Local Highway Authority did not advise refusal of the previous application, as it was not considered that the proposal would have led to severe harm to highway safety. As Such the Local highway Authority could not have supported the reason for refusal imposed by the Local Planning Authority. Nevertheless, the Highway Authority has re-examined this case and are satisfied that no additional mitigation measures need to be provided as part of this revised planning application.

With regard to the previous concern of this Committee about increased children crossing the busy A607, then the proposals include the provision of a new pedestrian crossing with central refuge island, which should not only provide a safe crossing point for children from the development site, but for all other pedestrians wishing to cross the road. The central island will also help act as a traffic speed calming feature too, and therefore this would also help **improve highway safety** not just at the crossing and the site access, but through reduced speeds on Melton Road.

Recognising the concerns of the Committee in relation to the level of affordable housing provision previously proposed, the applicant has revisited the assumption in their original appraisal, taking account of comments made by the District Valuer. Revised assumptions particularly relating to assumed land values has allowed the application to **increase the affordable housing to be provided by 2 dwellings to a total of 16 dwelling which is 36%**



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.

The previous refusal refers at reason 4 to insufficient contributions to local infrastructure, developer contributions have been requested as set out above, including travel packs, bus passes and improvements to existing bus stops from the Local Highway Authority. **Critically, the scheme now includes an increased provision of affordable housing and libraries and as such fully meets all of the infrastructure requirements and other obligations that have been requested.**

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. They are therefore considered appropriate for inclusion in a Section 106 agreement.

**In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from this revised 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 sustainable transport options
  - (iv) Contribution to maintenance of open space
  - (v) 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.

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.

8. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use
9. The development shall be carried out in accordance with the measures set out in the a mitigation plan for protection of Great Crested Newts and Bats (FPCR July 2015 Section 4) submitted as part of the application.
10. The Footpaths should comprise of a 2m wide surfaced route with a 1m grass verge on either side, in accordance with the County Council's Guidance Notes for Developers, which are incorporated within Part 3, Section DG7 of the 6Cs Design Guide. The application of these criteria should ensure that the routes do not appear narrow and unattractive to users, but retain an open aspect instead.
11. Both Public Rights of Way through the development site should be provided with an all-weather sealed surface. The surface must be constructed to a specification agreed with the County Council's Travel Choice and Access Team during the reserved matters stage. The provision of a surface will provide all-weather walking / cycling opportunities for those living and or working within The proposed development. This, in turn will increase travel choice and potentially reduce the number of new car journeys generated by the development
12. Any new trees or shrubs which are proposed to be planted adjacent to the Public Rights of Way should be set back by a minimum of 1 metre from the edge of the route and be of species which do not spread.
13. No new gates, stiles, fences or other structures affecting a Right of Way, of either a temporary or permanent nature, should be constructed without the written consent of the Highway Authority having been obtained. Given that it is proposed to take this field out of agricultural use, it may be possible to remove a number of existing stock-proof stiles from the footpaths, leaving a gate or replacing with a hand gate thus improving the paths and encouraging their use. that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

14. The site shall be served by a single point of vehicular access only from Melton Road, as shown on the submitted plans.
15. Development shall not begin until details of design for off-site highway works being the proposed road junction and relocation of the central island shown generally on drawing number ADC1087/002 Rev C have been approved in writing by the local planning authority; and no dwelling in the development shall be occupied until that scheme has been constructed in accordance with the approved details.
16. If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected to the main site access off Melton Road (should it remain as a private access), they shall be set back a minimum distance of 25 metres behind the highway boundary and shall be hung so as not to open outwards.
17. 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).
18. The existing vehicular access currently serving the between nos. 43 and 45 Melton Road that becomes redundant as a result of this proposal shall be closed permanently and the existing vehicular crossings reinstated in accordance with a scheme that shall first have been submitted to and approved by the LPA in consultation with the Highway Authority within one month of the new access being brought into use.
19. Before building works first commence on site the visibility splays shown on drawing number ADC1087/002 Rev C, out of the proposed site access in each direction on to Melton Road, shall have been provided. These shall be in accordance with the standards contained in the current County Council design guide and shall thereafter be permanently so maintained. Nothing shall be allowed to grow above a height of 0.6 metres above ground level within the visibility splays.

Reasons:

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To ensure that the housing needs of the borough are met.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
5. To provide a reasonable period for the replacement of any planting.
6. To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public, nature conservation or historical significance.
7. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
8. To prevent flooding by ensuring the satisfactory storage of and disposal of foul and surface water from the site, and ensuring that there is no increase to flood risk as a result of this development.
9. To ensure protected species are adequately protected.
10. to 13 : to ensure the footpaths traversing the site are adequately incorporated into the development.

14.to 19 : In the interests if highway safety.

Officer to contact: **Miss L Parker**

**Date: 26<sup>th</sup> February 2016**