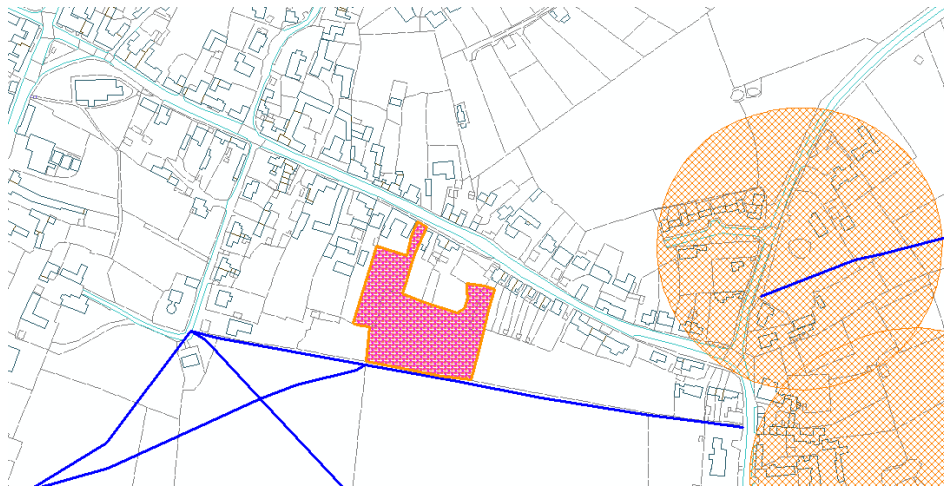


**Reference:** 14/00777/FUL  
**Date submitted:** 14.10.14  
**Applicant:** Mr Jamie Gibbins - Barwood Homes Ltd  
**Location:** Land behind 38-48 High Street, Waltham on the Wolds, LE14 4AH  
**Proposal:** Residential development to 28 dwellings



**Proposal :-**

This application seeks full planning permission for 28 dwellings, associated access and drainage on paddock land behind dwellings fronting High Street in Waltham on the Wolds. The site lies outside the designated Conservation Area and village envelope and is considered to be greenfield land, not having been previously developed. The paddock is enclosed by a dense mature hedge along the southern boundary, separating the site from the open countryside beyond. Public footpath E99, Mowbray Way runs along the rear boundary connecting to the public footpath network to the south of the village.

The application has been supported by a Planning Statement, Design and Access Statement, Flood Risk and Drainage Assessment and Habitat Survey. All of these documents are available to view at the Council.

**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**
- **Highway safety**
- **Flood risk**

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

### **History:-**

13/00290/FUL – Erection of 2 dwellings and associated access and parking – granted 20<sup>th</sup> August 2013

12/00326/CL – Certificate of Lawful Development granted on the 7<sup>th</sup> August 2012 for the construction of dwellings as per approved planning permission 78/0009.

91/0137/6/924 – Full planning application for the construction of 5 dwellings and 1 flat – refused and upheld on appeal.

78/0009/6/924 – Reserved matters application, for the erection of Three Dwellings with Garages – granted.

76/0442/6/924 - Outline planning application was granted on 14 December 1976, subject to conditions, for a Proposed Residential Development. – granted.

75/0002/6/924 - Outline planning application was granted on 14 December 1976, subject to conditions, for a Proposed Development of Three Building Plots. (LCC Applicant) - granted

### **Planning Policies:-**

#### **Melton Local Plan (saved policies):**

**Policy OS1** - allows for development within the village envelope provided that the form, character and appearance of the settlement are not adversely affected, the form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality; the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity.

**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 H8** – Sets out the requirements for assessing rural exception sites. In exceptional circumstances the Council may grant planning permission for a development on the edge of a village which meets a genuine local need for affordable dwellings which cannot be accommodated within a village envelope. It states that the need is required to be established by the Council, it must be in keeping with the scale, character and setting of the village and would not have an adverse impact upon the community or local environment. The layout, density, siting, design and external appearance, landscaping, access and parking details are in accordance with other policies contained within the plan.

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

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

**Policy C1:** states that planning permission will not be granted for development which would result in the loss of the best and most versatile agricultural land, (Grades 1, 2 and 3a), unless the following criteria are met:

there is an overriding need for the development; there are no suitable sites for the development within existing developed areas; the proposal is on land of the lowest practicable grade.

**Policy C13:** states that planning permission will not be granted if the development adversely affects a designated SSSI or NNR, local Nature Reserve or site of ecological interest, site of geological interest unless there is an overriding need for the development.

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

**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.

**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

### Conserving and Enhancing the Historic Environment

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

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:**

<b>Consultation reply</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Highways Authority: No Objection, subject to conditions.</b></p> <p>Revised highway observations were made following receipt of amended plans submitted on the 1st December 2014.</p> <p>The amended plan includes the provision of some raised tables to help keep vehicle speeds low within the site. The plan now shows the annotation of the parking spaces for each property, and whilst the Highways Authority have concerns that some of the parking spaces are remote and out of the view of the properties to which they serve, given that the internal road will be private and not form part of the public highway, this could not form a reason for the Highway Authority to resist the proposal.</p> <p>Although Waltham on the Wolds is a location where residents are likely to be heavily reliant on the use of a private car, it does have an hourly bus service, shops/post office, a public house, village hall and primary school, and therefore meets a number of criteria laid down in the 6 C's Guide and therefore it would be difficult to seek to resist the proposal on the grounds that the site is not</p>	<p>The application proposes a private drive to serve 28 dwellings off High Street. The access for the drive will be formed between number 38 and 38a High Street, which is currently a grass track to the paddock behind properties fronting High Street. It would have a width of approximately 5.5 metres with no footpath provision. The width of the access is restricted by the existing properties either side and cannot therefore be considered for adoption by the Highways Authority as 0.5m margins either side cannot be provided. However as a private drive the Highways Authority have no objection subject to a number of conditions in relation to traffic calming within the development, surfacing of parking areas, drainage, removing of obstruction to the visibility splays and no loss of parking provision to the existing Bed and Breakfast facility.</p> <p>High Street varies in width and currently has issues with on street parking. Outside the application site there are large grass verges.</p> <p>The application was supported with a Transport Assessment and includes proposed trip generation figures from the site. From the TRCIS database</p>

sustainable in transport terms. In the interests of encouraging the use of public transport, the developer should provide travel packs and bus passes for first occupants, and carry out improvements to the nearest bus stops on High Street.

The proposed road serving the site does not meet standards for adoption by the Highway Authority, and therefore it will not be considered for adoption. To meet Highway Authority standards for a shared private drive to serve 28 dwellings, then the access road should have a minimum width of 5.5 metres with 0.5 metre clear margins on each side. There is no requirement for a separate footway, as the carriageway can be used as a shared surface by vehicles, cycles and pedestrians alike.

The Transport Statement includes proposed trip generation figures from the site. The site based on sites from the TRICS database. It is considered that the figures quoted are on the low side, as suburban sites have been selected, whereas Waltham on the Wolds is not a suburban location. It is believed that in terms of the TRICS database, more appropriate sites should have been chosen, which would have given a slightly higher trip rate generation. Nevertheless, even with a highway trip rate generation being used, it would not lead to any capacity issues at the access or on High Street.

**Comments on the Parish Council's Independent Road Safety Assessment and Planning Issues Report.**

The Highways Authority have viewed the independent highway report and one of the main issues appears to be that the internal road is not designed as an adoptable standard road. However Leicestershire County Council do allow private roads serving more than 25 dwellings, and therefore this is not an issue for the Local Highway Authority, and could not form the basis of a Highway reason for refusal. Concerns have also been expressed about the lack of a separate footway within the site, however again this is not a requirement by Leicestershire County Council and therefore not something that we could seek to resist either.

The fact that pedestrian visibility splays of 2 metres by 2 metres cannot be provided on either side of the access has been raised as an issue, however 'Manual for Streets 2' states that "Vehicle exits at the back of the footway mean that emerging drivers will have to take account of people of the footway. The absence of wide visibility splays at minor accesses will encourage

the Highways Authority did consider that the figures quoted are low, as suburban sites have been selected, whereas Waltham on the Wolds is not a suburban location and has a greater car dependency. In terms of the TRICS database, the Highways Authority consider that more appropriate sites should have been chosen, which would have given a slightly higher trip rate generation. Nevertheless, even with a higher trip rate generation being used, it is not considered that the proposal would lead to any capacity issues at the proposed access or on High Street.

The application has attracted a large number of objections in relation to the highway impacts. The objectors consider the proposal will increase dangers to pedestrians and add to the existing problems encountered on High Street.

Whilst there will be an increase in traffic at peak times as a result of the development, it is expected from the modelling that this would generate 21 trips during the AM and PM peak periods. This equates to 1 vehicle every 3 minutes during the busiest 1 hour period which will result in an imperceptible increase in traffic and is certainly not considered to result in a 'severe' impact

Government advice is that planning applications should only be resisted on highway/transportation grounds where it can be demonstrated that the proposal would lead to **severe harm**, and as **the proposed development would comply with relevant current local and national standards, it would not be possible to seek to resist the proposal on the grounds of highway safety**

The Parish Council have commissioned an independent safety assessment on highway impacts and provides comments on other planning issues. One of the points raised is in regards to the walls at the site entrance which are currently above the recommended 600mm height in order to provide appropriate pedestrian visibility splays. The Highways Authority have recommended a condition should approval be granted to lower the wall either side to the recommended height. It has been noted that part of the wall to the west is not in the ownership of the developer and therefore it could not be insisted that that particular part of the wall is to be lowered. The Highways Authority do not see this as a barrier to the development given that 'Manual for Streets 2' states "*that restricted visibility splays at minor accesses will encourage drivers to emerge more cautiously*". Traffic calming is proposed within the site which will slow down vehicles on approach to the access.

<p>drivers to emerge more cautiously”. The Local Highway Authority do not consider that the splays that would be available (should the walls on the site frontage be lowered as per the requested condition), would result in severe harm for pedestrian safety and that a highway reason for refusal could be substantiated.</p> <p>There are a number of other comments relating to the internal layout of the site in relation to individual accesses and parking facilities, however as the road will not be adopted, it would not be possible for the Local Highway Authority to seek to resist the development for those reasons.</p> <p>The report refers to the site being outside the permitted development envelope within the Local Plan, however this is a planning issue and not a highway related issue.</p> <p>With regards to the sustainability of the site in transport terms, then Waltham on the Wolds does meet a number of criteria set out in the 6 C’s Guide and therefore the Local Highway Authority view was that it would be difficult to sustain a highway reason for refusal based on sustainability. It is understand that Waltham is one of the borough’s four service centres were the principle of new development is acceptable.</p> <p>The report goes on to identify existing issues relating to High Street, it would not be possible to seek to resist the proposal on the grounds of the issues identified, as the development itself will not significantly increase the risks associated with the issues, nor would it be possible to seek the developer to rectify these existing ‘problems’.</p> <p>The Local Highway Authority is of the opinion; that whilst the report identifies some minor safety issues, it does not demonstrate that the proposal would lead to severe harms for road users, and therefore could not form the basis of a highway reason for refusal.</p>	<p>Concerns are also raised due to the lack of footway within the site and safety issues that may arise from residents pulling out of parking spaces. As the access road will not be adopted the Highways Authority are not required to make comment on the acceptability and are unable to resist the development based on the estate layout. There is no requirement for a separate footway, as the carriageway can be used as a shared surface by vehicles, cycles and pedestrians alike and conforms to Manual for Streets 2.</p> <p><b>The Highways Authority have confirmed that whilst there will be some impact from the proposal the impacts will not be ‘severe’ as advised within the NPPF and it would be difficult to sustain a refusal based on highway safety impacts.</b></p> <p><b>The proposal is considered to be acceptable in transport terms and would not have a detrimental impact upon Highway Safety.</b></p>
<p><b>LCC Access Officer, Rights of Way – No objection subject to a providing a public link to the footpaths network.</b></p> <p>Public footpath E99 runs adjacent to the southern boundary of the site. The footpath forms part of the Mowbray Way longer distance route and links into the wider footpath network via public footpaths F1 and E93.</p> <p>Whilst the documents accompanying the application mention the Mowbray Way and illustrate the public footpaths, highlighting their importance as pedestrian links, there is no imaginative use of this potential resource which immediately abuts the site. The site is very well</p>	<p>The layout has been amended to provide an access route through the development to public footpath E99. As the access road is not to be formally adopted the footpath link will have to be provided as a 'private' link however the County Council would not take up any future maintenance responsibilities in respect of the route. The route would still be available as a ‘sustainable’ link with the desired benefits of encouraging walking by the new residents to and from the new houses. The route will have to be maintained privately as part of the overall site access and this could be conditioned. An alternative options is to dedicate the footpath as a public footpath by means of agreement with the County Council as a through route running from</p>

placed to provide residents with direct access to footpaths E99 and F1. Without a direct link from the site onto the public footpath, residents would have to walk an additional 350m to reach the junction of Mill Lane with Footpaths E93 and E99, they would have to walk approximately ½ km to reach a point on the recreational network level with the rear of their own properties. Therefore, on the grounds of sustainability, compatibility of the proposal with the National Planning Policy Framework (NPPF) and indeed with the Rights of Way Improvement Plan for Leicestershire (2006-2011 with revisions for the period 2011-2016) (ROWIP), It is expected that the developer takes advantage of the proximity of the site to public footpath E99 and provide a footpath link.

- On promoting sustainable transport, the NPPF, para.32, states that, “... *decisions should take account of whether the opportunities for sustainable transport modes have been taken up,*” and whether, “...*safe and suitable access to the site can be achieved for all people.*”

- Para. 35, states that plans should, “...*exploit opportunities for the use of sustainable transport modes,*” and, “...*give priority to pedestrian and cycle movements.*”

- Para. 37 states that, “... *people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.*”

- Para. 73, states that development should provide, “...*access to high quality open spaces and opportunities for sport and recreation.*”

- Para. 75 states that development should, “...*protect and enhance public rights of way and access. Seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks ...*”

On considering proposals for development, the **ROWIP Policy P3** states that, “*Developers will be expected to maximise the potential for access within, to and from new development by walking and cycling. This should include links to travel plans and public transport.*”

- **ROWIP Policy P5** states that, “*Consideration should be given to linking new housing sites into the surrounding recreational networks or where there isn't one, creating routes that link to surrounding path networks, communities or facilities.*”

It is possible for a footpath link to be easily provided within the current design, running

High Street to public footpath E99 (Mowbray Way). In this case the County Council would need to discuss details of the surface to be provided on the length of the route and agree on how it would be maintained in the future. The link from the internal road to the footpath is likely to need a 2m wide tarmac surface provided by the developer and some delineation of the footpath would be preferable along the length of the shared surface road to High Street.

**The Rights of Way Officer has no objection to the proposal subject to appropriate mechanisms to secure the private link to Mowbray Way (E99)**

<p>between two of the houses and taking advantage of a short stretch of the buffer already illustrated around the perimeter of the site. (It is assumed that the access road would be adopted from High Street to point C on the plan.)</p>	
<p><b>Environment Agency:</b> No objection, subject to conditions:-</p> <ul style="list-style-type: none"> <li>• Development to be carried out in accordance with the mitigation strategy contained within the Flood Risk Assessment</li> <li>• Should contamination be found that has not previously be considered a remedial strategy shall be submitted and approved.</li> </ul> <p><b>Additional Comments:-</b> Jefferson Consulting Limited report entitled “Summary of the Geology and Hydrology of Waltham on the Wolds”.</p> <p>In respect of Development and Flood Risk the remit of the Environment Agency is to determine whether or not a development is safe from fluvial flooding and that surface water disposal from the site can be dealt with without increasing flood risk to others. In this respect they reiterate that the condition requested in our letter dated 2 February 2015 addresses surface water disposal from the site and remains pertinent.</p> <p>The site is not affected by fluvial flooding.</p> <p>From the information supplied it shows that the site is affected by groundwater and overland flows. This aspect comes within the remit of the Lead Local Flood Authority (LLFA) – Leicestershire County Council and it is for them to investigate and advise you</p>	<p>The site is not sited within a known flood zone and is less than 1 hectare in size and therefore would not warrant consultation with the Environment Agency. However the application was supported with a Flood Risk Assessment and in light of comments received from local residents in regards to surface water drainage issues it was considered appropriate to consult with the Environment Agency.</p> <p>The Environment Agency are satisfied with the findings of the Flood Risk Assessment and conclude that the issues experienced would be due to saturation of the strata rather than groundwater flooding and therefore do not object to the redevelopment of the site, subject to a conditions requiring a surface water drainage scheme to be submitted and approved and that finished floor levels are set at 150mm above ground level.</p> <p>The proposal includes a balancing pond on the site for the storage and disposal of surface water. It would be designed to accommodate the surface water run-off created from the proposal. As the site is currently a greenfield site the surface water run off rate can be no greater than the existing greenfield run of rate and the balancing pond needs to be design to allow for this capacity. The design details of the SUDs would need to be requested by conditions and would need to be formally agreed in consultation with the Lead Local Flood Authority prior to development of the site.</p> <p><b>No objection has been received from the Environment Agency in regards to any potential flood risk as a result of the proposal. Whilst information on the geology of the site was submitted by local residents the Environment Agency did not considered that this was substantive evidence that demonstrated that severe harm would occur or that the water could not be managed. Ground water issues are matters dealt with by the Lead Local Floor Authority (see below). It is not considered that a refusal could be supported in this instance.</b></p>
<p><b>Lead Local Flood Authority: County Council –</b> No objection, subject to conditions</p> <p>Following further groundwater testing, based on the additional groundwater information from January 2015. The Local Lead Flood Authority</p>	<p>Melton’s Strategic Flood Risk Assessment (SRFA) indicates that there are numerous springs and small ponds within the village and states that it is not known if these are natural or man-made features. The SFRA states that groundwater flooding associated with spring activity in the</p>



<p>believe that these additional test cover the site for seasonal variation, being 6 - 7 months apart.</p> <p>According to the SuDS Manual Table 15.1 “The Seasonally high groundwater table must be more than 1m below the base of the facility and the design must comply with the environmental regulator’s policy in infiltration and groundwater protection.”</p> <p>Provided these conditions are met the Lead Local Flood Authority can see no reason that the development should be refused in relation to groundwater flood risk.</p>	<p>area is considered to be a potential risk to development in the area, and should be considered as part of a site specific flood risk assessment.</p> <p>A site specific flood risk assessment has been submitted which advises that trial holes and soakage testing was undertaken on the site during the month of July 2014, at five locations across the site. The five trial holes were excavated up to 2.10m deep and all found strata of silty sandy clay with limestone fragments. No groundwater was encountered in any of the trial pits during that time of testing. The Lead Local Flood Authority requested more testing to be undertaken to take into account the seasonal variations. Following this further monitoring of groundwater levels, three visits to site took place during January 2015 to assess the potential for seasonal variation in the water table level during the winter period. The results of the testing show a general rise in groundwater levels since the August readings but are still at depth below existing ground levels. The assessment of the site found that groundwater flooding associated with spring activity in the area is considered to be a potential risk to development in the area. The local geology indicates that a perched water table exists at the interface of permeable and impermeable strata resulting in a spring line running in the vicinity of the site. The assessment acknowledges that the perched water table is sensitive to changes both in the outflow from the springs and wells, and from inflows both from direct rainfall and surface run-off. Also in the event that the Northampton Sand Formation outcrops or is shallow at some point beneath the site, there is a potential for the main water table to rise and ultimately result in surface ponding following a prolonged spell of rainfall.</p> <p>This ‘ponding’ on the surface has been raised by residents as a potential issue relevant to past flooding in the area caused from the water table rising. The soakage test results showed that some infiltration drainage is necessary in the western section of the site but that ground conditions to the east of the site would not be suitable (ie soakaways). Groundwater is not considered to be a constraint to development as an appropriately designed land drainage scheme, along with the setting of suitable finished floor levels and appropriate building construction, can ensure any flood risk to proposed dwellings is managed effectively.</p> <p><b>The Lead Local Flood Authority have raised no objections to the redevelopment of the site on grounds of flood risk subject to a suitable sustainable drainage scheme being</b></p>
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	<p><b>implemented. It has been suggested that further testing of ground water should be carried out to verify the seasonal variation in the water table level in order to consider appropriate mitigation measures to be implemented (if required) during construction work. This can be secured by condition. It is not considered that a refusal on flooding could be sustained given that the evidence presented to support the proposal indicates that flood risk can be safeguarded against and mitigation can be achieved.</b></p>
<p><b>Severn Trent Water Authority:</b> No objection subject to conditions requiring further information on the disposal of surface water and fowl sewage.</p>	<p>Noted.</p>
<p><b>LCC Ecology:</b> No objection</p> <p>The ecology report submitted in support of the application (EDP, August 2014) recorded a grass snake on site and bats foraging along the hedgerows. The site comprised predominately improved grassland, with a tall species poor hedgerow surrounding the site. LCC are therefore in agreement with the recommendations in the report and would request that these are forwarded as a planning condition, should planning permission be granted. It is noted that a buffer between the existing hedgerows on site and the proposed development has been incorporated into the proposed layout plan. LCC welcome this and would request that it is made as large as possible. Additionally, it should be maintained long-term for its potential ecological value (not made into amenity grassland).</p> <p>LCC therefore are in agreement with the recommendations of the ecology report that a management plan should be submitted pre-commencement to ensure the appropriate management of this buffer and the hedgerows surrounding the site.</p>	<p>Noted. The site is formally a grassed paddock which has a mature boundary around the site. The County Ecologist has advised that there should be a buffer between the hedgerows and the domestic curtilage to ensure that wildlife habitats are not destroyed by the future occupiers of the dwellings and allows suitable ecological corridors out to the countryside to the south of the proposal. A suitable management plan of this area should be submitted for further consideration should approval be granted.</p> <p><b>The proposal is not considered to have a detrimental impact upon protected species or ecology in general and no objection has been received.</b></p>
<p><b>Waltham on the Wolds and Thorpe Arnold Parish Council:</b> Objects</p> <p>Waltham on the Wolds and Thorpe Arnold Parish Council would like to object to the above planning application, and request that Melton Borough Council Planning department refuse the application for the following reasons.</p> <p><b>Traffic Impact :</b> As a development allows for a minimum of two parking spaces per property, this would result in a total of at least 58 vehicles associated with this development. The traffic Impact statement of movement during peak times must therefore be challenged. The access road to the site is too narrow, vehicles entering and leaving the site cannot pass side by side.</p>	<p>Please see commentary above for full assessment on the highway points raised.</p> <p>Access to the site will be taken from High Street between two existing properties which restrict the width of the driveway which will be no greater than approximately 5.5 metres. There would be no room for any footpath provisions and pedestrians/cyclists would share the highway with the vehicles. Manual for Streets 2 allows for shared surface by vehicles, cycles and pedestrians alike and there would be sufficient width for two vehicles to pass. The road would not be adopted and will remain as a private drive and therefore the Highway Authority have not objected to the proposal given that a suitable access point and visibility splays can be implemented out onto High Street. In order for the drive to meet</p>

<p>The visual splay is too limited for vehicles leaving the site, potentially a hazard for pedestrians. Similarly the lack of footpath on the access road is totally unacceptable, and creates a hazard, for children, the elderly and disabled people.</p> <p>At the point where the access road to the site is proposed the High Street is particularly narrow and unsuitable for the number of vehicles emerging from the development which may cut into the opposing carriageway when turning out of the site – this would particularly be applicable to HGVs.</p> <p>The neighbouring property “ Bryn Barn,” a B&amp;B, would have their current disability access compromised and the access rights to their property could be seriously affected. Guests would have to park their cars on an already congested High Street. Bryn Barn is considered to be as asset to the village.</p> <p>As this would be a private road, would waste disposal vehicles have to enter and leave, or would approximately 50 wheelie bins be lined up on the High Street?</p> <p>Visitors to the development would need to park on the access road, thus impeding the access of emergency vehicles to the site.</p>	<p>adoption standards it would have to have a minimum width of 5.5 metres with a 0.5 margin either side the road. The margins cannot be provided and therefore not suitable for adoption by the Highways Authority.</p> <p>Bryn Barn (B&amp;B) is located to the front of the site with associated parking off the proposed driveway and benefits from a right of way in front of the property. The built form of the proposal is sited approximately 30 m. from the entrance and access to the parking area would still be available. The grassed road would be replaced with hard surfacing and this could be viewed as some betterment for users of the site with accessibility issues.</p> <p>The Highways Authority has not objected to the proposal as it is considered that a suitable access can be provided and as the road will remain as a private drive no comments have been made in relation to the parking arrangements. Fifty two parking spaces including covered parking has been provided within the layout which is proportionate with the type of dwellings proposed. There are a number of parking spaces which are not close to the dwellings they serve and have been arranged in bays along the frontage. This is particular prevalent at the head of the cul-de-sac for the terraced house types that do not have any garaging. There is an argument that inconsiderate parking could occur from residents wishing to have ease of access to the front of the dwellings for unloading items from vehicles or visitors to the site. The width of the private drive means that should on street parking occur difficulties may be experienced travelling along the private drive, particular larger vehicles/emergence services and manoeuvring in and out of the spaces.</p> <p>The road is to remain un-adopted and the waste contractor may require an indemnity releasing them from any damage to the surfacing on the road. Should an agreement not be reached the layout of the proposal would not conform to Building Regulations for disposal of waste which requires that the travel distance from dwelling to the collection point should be no more than 30 metres. Issues would also arise if there was to be an agreed collection point as there is no provision within the layout for the storage of wheelie bins</p>
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<p><b><u>Effect on the Conservation Area :</u></b> Waltham on the Wolds Parish Council would ask the Borough Council to look at Melton Borough Councils document on the Waltham Conservation Area. “Conservation Areas are areas of special architectural or historic interest, the character and appearance of which it is Desirable to preserve or enhance. Designation of a conservation area recognises the character of an area worthy of preservation and enhancement and ensures the protection of the best of our local heritage as represented by buildings and the environment. (this is only an extract from the document )</p> <p>The proposal described in this application will appear as a solid wall of buildings from the whole of the southern part of the conservation area. We feel that the proposed development actually intrudes into the Conservation Area and would have a detrimental effect on it.</p>	<p>for collection. The applicant has confirmed that the hammer head will be constructed to adoptable standard and do not see this as a constraint to the development and the road would be suitable for the refuse vehicles. Cost of maintenance of the drive would be the responsibility of the residents and managed by a Management Company.</p> <p>Melton Local Plan policy BE1 seeks to ensure that adequate vehicle and parking is provided within development proposals for housing. It is considered that the parking, particular around the terrace housing is not particularly well integrated into the layout but could be improved with the use of different materials and substantial landscaping to break up the areas.</p> <p>The application site is currently a greenfield site previously used as paddock land with a small tract of land used as residential garden area under a garden license. The site has a strong natural boundary to the east and south and abuts the Mowbray Way Public Rights of Way and the open countryside beyond. To the west and north is residential development. This part of High Street is characterised by a mixture of cottage style two storey dwellings constructed predominantly from stone and slate with some evidence of red brick. The dwellings form a linear form either side off the High Street. However there are examples of single dwellings sitting in a back land position around the village on larger plots.</p> <p>The access to the site lies within the designated Conservation Area with the proposed dwellings lying outside but abutting it along the northern boundary. Access into the site is currently a grassed track leading up to the gate to the paddock having a close boarded fence changing to a post and rail fencing separating the garden area of number 38a. At presents it provides a pleasant vista from the High Street to the open land beyond. Should development be accepted, for security and privacy reasons number 38a will require a higher boundary treatment which would run at the length of 40 metres and would present a much harsher visual appearance. The paddock whilst lying outside of the Conservation Area is considered to contribute to the setting of the Conservation Area. Waltham’s Conservation Area Appraisal states: <i>High Street is characterised by the dominant natural stonework with larger buildings and small scale traditional cottages, linked by natural stone walls and outbuildings, with open countryside and paddocks beyond. The layout of properties is somewhat regimented with the majority of properties built front elevation onto the highway.</i></p>
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<p><b><u>Flood Risk :</u></b> The site is located on the outcrop of the very permeable Northampton Sand Stone. This in turn overlies the much less impermeable Whitby Mudstone Formation. As a result there is a Perched water- table at the junction of the two beds. This results in a spring-line running North – south in the vicinity of the main Melton Road. Wells along this line are traditional sources of water for the village. Any interference with the</p>	<p>The proposal would introduce 28 dwellings on 0.613 hectares sitting behind existing dwellings fronting High Street. The density of the layout at 45.67 dwellings per hectare is far greater than that experienced in this locality of the village and it is considered that is not truly reflective of the character of the area, although it is acknowledge that the construction of the dwellings proposed has sought to reflect local building materials. The ridge line of the proposal would be visible over the existing dwellings due to the rising in topography on the site but would be limited from High Street due to the existing dwellings. Amended plans have been submitted which altered some of the house types and introduced smaller roof planes and the ridge heights will vary across the site to add variation when viewing into the site, particular from the south from the open views.</p> <p>There is no doubt that the proposal in its present form would alter the character of the village in this location due to the higher density development. Whilst the application site is not within the Conservation Area it would impact upon the setting of the Conservation Area. This harm is considered to be less than substantial as advised within the NPPF paragraph 134 which advises that for development to proceed the public benefits are required to be weighed against the harms to the heritage asset.</p> <p>The construction of 28 dwellings, which meet the identified housing needs for the Borough and includes 6 affordable dwellings would provide public benefits however the harm to the character of the area which involves development of a greenfield site outside of the village envelope is not considered to outweigh the harm identified.</p> <p>Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“P(LBCA)A 1990”) requires that special attention to the desirability of preserving or enhancing the character or appearance of that area. Replacing the grass track with an engineered highway is not considered to preserve or enhance the Conservation Area and due to the available width no landscaping could be introduced to mitigate the harm identified and should be refused.</p> <p>Please see commentary within Environment Agency and Lead Local Flood Authority above for full assessment on flood risk.</p>
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natural drainage in this area causes a rise in the perched water-table with resultant flooding top properties on the main street. There is no catchment pool on the site, and existing drainage infrastructure may not cope with the additional surface water.

**Design and Density of Housing :** The proposed dwellings are high with a very small footprint. In fact some of the buildings are some 2 metres higher than the houses on Windsor Road, which have a considerably larger footprint.

The Parish Council feel that the density is too great for the site. Taking Windsor Road as an example 20 properties is about 2.8 times the area of the proposal, which contains 29 properties. The density of the proposal is therefore the equivalent to building 80 properties in Windsor Road.

The latest instruction on planning is for homes to be built for sustainable long – term living for all types of people, including disabled. This development does not appear to have met this requirement.

The development would extend outside the village envelope, and whilst it incorporates affordable housing, no need for further affordable housing has been identified in the Parish.

Furthermore, in our opinion, the application does not meet rules and guidelines laid down in the current N.P.P.F. policy report.

**Waltham Parish Council would respectfully request that this application is refused**

**Parish Council's Independent Road Safety Assessment and Planning Issues Report dated 27<sup>th</sup> January 2015.**

CA Traffic Solutions has been commissioned to provide a road safety assessment of the proposed development for 28 residences off High Street, Waltham on the Wolds, Melton Mowbray, Leicestershire. The report discusses the proposed development and identifies issues with road safety, highway access, development design and sustainability.

**Highway Access**

- The site has restricted visibility out of the site due to boundary walls, part of which is not in the developers ownership

**Development Layout**

- Some parking plots have restricted visibility due to boundary treatments
- lack of footway available to pedestrians

The proposal would provide a housing density of 45.67 per hectare which exceeds that experienced in the rural village of Waltham on the Wolds.

The historic core of the village is close knit with the main arterial routes into the village consists of linear form of development with dwellings positioned fronting the main road on generous plots. The village has seen housing expansion in the past, infilling around the edges of the village. Windsor Street being the most sparsely built up estate.

The proposal presents a mix of dwellings that takes account of the Borough's local need which is for two and three bedroom smaller properties. The scheme also includes 6 affordable housing which would add to the affordable housing stock within the Borough and would not have to have a direct linkage with Waltham.

The site lies outside off the village envelope for Waltham on the Wolds and the benefits of providing housing in a time that the Council can not demonstrate a 5 year land supply is required to be weighed up against the harms to the character of the area. (see commentary below on public benefits)

Please see Highways Authority commentary above for full assessment of the independent study upon highway safety matters.

The proposal presents 28 dwellings served of a spinal road leading to a hammer head. The dwellings are positioned either side of the spinal

<p>there is no safety margin / protection for pedestrians to access to avoid the vehicles, giving potential for collisions to occur,</p> <ul style="list-style-type: none"> <li>• Many local planning authorities require at least one 2-metre-wide footway to be provided for a short distance into the development before it becomes a shared surface for vehicles and pedestrians.</li> <li>• There is no traffic calming provision at the entrance to the access road which could result in inappropriate vehicle speeds at the interface with the public highway, which could be particularly hazardous because of the poor intervisibility between pedestrians walking along High Street and drivers emerging from the proposed access.</li> <li>• The proposed play area is located on the inside of a 90 degree bend visibility may be masked by buildings and boundaries.</li> <li>• Visitors spaces are grouped at the end of the estate and no likely to be used for plots 1 to 17.</li> <li>• A significant amount of the proposed parking provision is in front of garages, creating 'tandem parking', whereby the vehicle in the garage is blocked in by the vehicle parked in front of the garage. Could lead to parking in the road.</li> <li>• The turning area does not appear to be appropriate for large vehicles</li> <li>• Pedestrian access is to be provided to the Mowbray Way Public Footpath This could result in additional pedestrians (non-residents / visitors) using the sub-standard access road with potential for conflicts with traffic generated by the development.</li> <li>• As the access road is to remain private there is potential for the carriageway to fall into disrepair, which could result in pedestrian injuries (trips, falls etc.) or damage to vehicles.</li> <li>• The site is outside of the village envelope and could set a precedent for similar development and potentially undermined the integrity of Local Plan</li> </ul> <p><b>Sustainability</b></p> <ul style="list-style-type: none"> <li>• The bus times are not suitable for residents to commute out for business purposes.</li> <li>• The no. 8 bus services is generally hourly and the no. 56 runs one a day not two as stated in the TA.</li> <li>• No direct service to any train station.</li> <li>• A maximum distance of 400 metres is recommended by the Chartered Institution of Highways and Transportation (CIHT) for new developments' access to a bus service. For some residents this may not be case.</li> <li>• The nearest secondary school is in Melton</li> </ul>	<p>road with some plots have garaging and in-curtilage parking, whilst some will have use of bay parking along the road. The roadway will be constructed to have a shared surface, having no footpaths. This arrangement as a private drive is acceptable to the Highways Authority and in the absence of specific policy restricting the number of dwellings to be served off a private drive no objection has been received from the Highways Authority.</p> <p>Traffic calming is proposed by the use of two raised table.</p> <p>The buildings on the corner (plots 27/28) are set back from the highway and will have low stone walls as a boundary treatment. The local area of play has been positioned on the bend to ensure overlooking and can be conditioned to restrict the height of any fencing.</p> <p>In under to promote walking into the village the Rights of Way Officer has requested that an access point be provided through the estate to link to the Public Rights of Way to the south. Conflict in users has not been raised as an objection.</p> <p>A management company will be arranged and the costs will be transferred to the residents of the drive. This can be secured in a S106.</p> <p>The new Local Plan is still be prepared and not yet progressed to Preferred Options. Any application is to be assessed on its own merits.</p> <p>The village of Waltham on the Wolds is considered to a sustainable village due to its local services available to residents and public transport options linking Melton and Grantham towns.</p> <p>The site is within 400 metres of the nearest bus stop. Properties beyond the access to the east of High Street are at a far greater distance</p> <p>This is guidance for major residential</p>
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<p>Mowbray. The ‘acceptable’ distance to travel to education is given by the (CIHT) as 1000 metres, and the ‘preferred maximum’ 2000 metres. The secondary school is well outside the ‘preferred maximum’ distance.</p> <p><b>Traffic Speeds</b></p> <ul style="list-style-type: none"> <li>• Questions the accuracy of the TRICS data based under the use for ‘suburban’ location as Waltham is rural and like for like information should be used.</li> <li>• The figures have been under estimated and therefore a higher number of traffic movements are likely.</li> </ul>	<p>development and not a policy requirement.</p> <p>The existing 85th percentile traffic speeds along High Street (32mph westbound and 31mph eastbound) are not considered to be excessive and existing on-street parking in the area assists in keeping traffic speeds down. The access and visibility splays have been designed against the recorded traffic speed.</p>
<p><b>Developer Contributions: s106</b></p> <p><b>Waste</b> - The County Council considered the proposed development is of a scale and size which would have an impact on the delivery of Civic Amenity waste facilities within the local area. 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 <b>£2,397</b> (rounded 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.</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. The proposed development on High St Waltham on the Wolds is within 7.8km of Melton Mowbray Library on Wilton Rd, being the nearest local library facility which would serve the development site. The library facilities contribution would be £1670 (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 to purchase additional library materials, e.g. books, audio books, newspapers and periodicals etc for loan and reference use to mitigate the impacts of the proposed development.</p>	<p>The County Council consider the Civic Amenity contribution is justified and necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contributions are to be used for the purpose of providing the additional capacity at the nearest Civic Amenity Site (Melton Mowbray) to the proposed development.</p> <p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p> <p><b>It is considered that the waste contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement and comply with CIL Reg. 122.</b></p> <p>It is not clear how the requests relate to improvements at the library. As no explanation has been provided. It is therefore found that the request is not compliant with CIL Reg. 122 in this instance as the improvements would not be relevant to this specific development or necessary.</p> <p><b>The contributions requested for mitigation against waste and libraries are a tariffed style requests that will be ‘pooled’. Under CIL Reg. 123(3) no more than five contributions can be pooled for any singular infrastructure project. The requests have not been assigned to any specific project and would ‘pooled’ to increase the capacity at the civic site in Melton. Since April 2010 there have been more than five signed S106 agreements put in place for this type of contributions and therefore the request fails the CIL Reg. 123(3) in this instance and cannot be sought.</b></p>



<p><b>LCC Highways – Public Transport</b></p> <p>To comply with Government guidance in NPPF the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use :</p> <ul style="list-style-type: none"> <li>• 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).</li> <li>• 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £350.00 per pass</li> <li>• Information display cases at 2 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120.00 per display.</li> <li>• New bus stop pole and signage flag at 2 nearest bus stops on High Street. At £145 per stop.</li> </ul> <p><b>Education-</b> - no contribution requested</p> <p><b>Ecology, Landscape</b> - no contribution requested</p>	<p><b>It is considered that the payments for highway infrastructure meets the criteria of CIL Ref. 122 and are appropriate for inclusion in a s106 agreement.</b></p> <p>The requests are site specific in order to mitigate the impacts of the development and would not be pooled. The requests meet the tests of CIL Reg. 123(3) and the applicants have agreed to the requests.</p>
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**Representations:**

Site notices were posted and neighbouring properties consulted. As a result **92 letters of objection have been received from 84 separate households** the representations are detailed below. Following amended plans showing a revised access 15 further objection has been received advising that the original objection still stands.

Representations	Assessment of Head of Regulatory Services
<p><b>Highway Safety:</b></p> <p>The access onto High Street will cause a danger to road users and pedestrians, particular safety risk for school children.</p> <p>No pavement within the layout would lead to safety issues for pedestrians moving about the site.</p> <p>High Street cannot cope with more traffic</p> <p>Access along High Street is already an issue due to the road narrowing and parking of vehicles.</p> <p>Increase in traffic movements will add further congestion.</p> <p>The width of High Street can not cope with anymore housing developments</p>	<p>Please see full commentary above on Highways safety.</p> <p>The proposed development would be served by a single point of access from the High Street. The development would have a spinal road serving all 28 properties which will remain un-adopted due to the width not meeting the Highways current standards.</p> <p>The residents are raising objections based on local knowledge of the area and that they experience issues relating to congestion as a result of parked vehicles.</p> <p><b>The Highway Authority raises no objections to the access or any highway safety matters and it is considered that the proposal would not lead to severe impacts as envisaged within the NPPF and a refusal could not be resisted on</b></p>

<p>Since moving to High Street 10 years ago the traffic in the village has escalated and high street is a very busy rat run of cars swerving in and out of all the parked cars on both sides of the road. Building 29 houses with one access along a narrow road in between 2 current high street properties will only add to an already sometimes horrendous traffic situation.</p> <p>The High Street is regularly congested with traffic particularly with so many properties in the vicinity of this application only having on-street parking.</p> <p>To increase traffic flow onto the High Street in this location will significantly exacerbate the situation.</p> <p>More cars will make the high street even more dangerous.</p> <p>This is obviously about profits for the developer as it shows no regard for the character and balance of the village, the safety &amp; well being of the existing villagers or the traffic overload on a village already struggling with heavy vehicles, parking and speeding issues.</p> <p>This road extremely busy throughout the day with general traffic it's also the route to the A1 and Oakham.</p> <p>Cars already mount the pavement to pass other vehicles due to the width of the road and parked cars.</p> <p>It will compromise pedestrian safety</p> <p>The traffic is a real problem , lots of cars park on the road anyway but the local businesses on the High Street , shop, Deli , hairdressers and B and B make it difficult to find a space. Farm vehicles have to mount the kerb to pass them.</p> <p>The accident data is incorrect... Only last year a car rolled and landed on its roof outside the village shop.</p> <p>Public transport in Waltham is so scarce it is likely that the new development would bring with it yet more motorised vehicles using and parking on the High Street, plus with having the access to the development directly onto the High Street this could be potentially dangerous with site lines and turning vehicles to both other road users and pedestrians.</p> <p>Delivery vehicles due to on-line shopping will add considerably to the traffic to and from the estate</p>	<p><b>highway safety issues.</b></p>
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<p>The traffic survey is not a true reflection as it was conducted to the east of the development and therefore did not take into account the amount of traffic visiting the shops to the west of the development causing parking congestion.</p> <p>The existing pavement certainly does not provide good visibility in either direction as there are frequently cars parked, blocking vision when leaving properties.</p>	
<p><b>Impact upon the Character of the area.</b></p> <p>Too many houses – out of keeping with the character of the area.</p> <p>29 new dwellings on this site is totally unreasonable. The scale of the development extending so far back beyond the existing village envelope will unbalance the scale of the village and in particular the Architectural street scene of this part of the village conservation area.</p> <p>Damaging effect of it on the ambience of the Conservation Area, and Bryn Barn in particular, will have a very negative impact on the village and its historical aspect.</p> <p>The Development will unbalance the village; it would significantly increase the size of Waltham. It will spoil the character and look of our village</p> <p>A housing development of that size and situation is totally not in keeping with the character and nature of Waltham; a village that is in a conservation area. In the past Waltham has had more than its fair share of infill housing.</p> <p>New builds should be sympathetic to their surroundings and the proposed new houses are definitely not; to allow such a development would be highly detrimental to the village.</p> <p>It will not be part of the village it will be a place apart. Sitting elevated from the High Street having a visual impact upon the conservation area.</p> <p>The character and appearance of the Conservation Area would be severely affected and the Village would be spoilt for us and Future generations A large scale development like this does not belong and is out of scale with the High Street, it does not contribute to the existing Village scene</p> <p>Will destroy the rural character of the village.</p> <p>The proposal presents dense form of development not in keeping with the conservation area and affects the setting....particular from the south</p>	<p>This has been addressed on page 12/13 of the report. The proposal would introduce 28 dwellings on 0.613 hectares sitting behind existing dwellings fronting High Street. The density of the layout at 45.67 dwellings is considered to be high for the village of Waltham on the Wolds and not reflective of the character and pattern of the area. The dwellings are linear in form along this part of High Street, away from the tight knit historic core, whereas the proposal seeks to present dwellings either side of the spinal road sitting behind existing dwellings. The road would be private and whilst a public open space is provided (to comply with the local plan policy H11) and will give access to the public rights of way to the south (as requested by LCC) residents wouldn't feel encouraged to walk through the development as they may feel as though they are trespassing. It would not encourage social interaction and connectivity between the existing and proposed development.</p> <p>The NPPF paragraph 56 states that <i>“the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”</i> at paragraph 57 states <i>“It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes”</i></p> <p>The site is not considered to meet these objectives due to the form of development of the site with a scheme which does not reflect the local distinctiveness of the village. Whilst the construction materials will be in the local building materials the styles are not reflective off the rural character which are typically stone cottages sitting on the back edge of the highway or larger dwellings on spacious plots. The proposal presents a mix of detached, semi-detached, terrace and quarter housing (flats) and would not be dissimilar to the house types found in more urban locations. NPPF paragraph 61 states that <i>“...decisions should address the connections between people and places and the integration of</i></p>

<p>The development of such a large estate would adversely affect the character of the village. Situated on rising ground the new houses would dominate the surrounding area.</p> <p>This part of the settlement is strongly linear in form, it is the oldest part of the village and should be preserved as such</p> <p>The size and scale of the development is not in keeping with a village setting and is an unwarranted extension into open countryside</p> <p>The proposal has been designed around the car and is not reflective of the historic core of the village and its conservation area.</p> <p>The reduction by one dwelling is nonsense and does not respond to the objections on the density and character of the village.</p> <p>The plots are too small for family...they need space to grow.</p> <p>The proposal is inward facing with the rear boundaries presented to neighbours and the open countryside. The need for security fencing and the siting of sheds and other domestic paraphernalia will impact upon the character of the countryside when viewed across from the south.</p> <p>Outside of the village envelope representing an unwarranted extension into that open countryside.</p> <p>There are too many houses set close together on a piece of greenbelt land, which is outside the Village Envelope.</p> <p>Will ruin a pleasant green site in the village.</p> <p>The 'affordable housing' tag seems to have become a useful ploy in making an application to place unwelcome housing, superfluous to local needs in a totally inappropriate location.</p> <p>Doesn't meet Waltham's housing needs.</p>	<p><i>new development into the natural, built and historic environment</i>" because of the back land nature of the development and density it is considered that it does not relate well to the village and represents an extension to the village on a greenfield site that has no presumption in favour of development. It is considered that the density should reflect the pattern of the existing development in this location.</p> <p>The site whilst lying outside of the defined village envelope is required to be balanced against any public benefits to be derived from the development. The amended proposal seeks to provide 28 dwellings of a mix that meets the Boroughs identified housing needs and provides six affordable units (21%) which is below the current policy requirement of 40%. This is not considered to amount to significant public benefits to warrant development of a greenfield site to the detriment of the character of the area and the residents abutting the site. (discussed further within the report under public benefits)</p>
<p><b>Impact upon residential outlook/amenity</b></p> <p>The access road severely affects residential amenities for number 38a as the length of the access drive runs direct along the side elevation and garden area causing noise and disturbance.</p> <p>There are no footpath provisions or planting proposed and the access road will impact upon the residential amenities of both Bryn Bed and Breakfast and number 38 High Street...its unacceptable relationship will create noise</p>	<p>The proposed access is to run between two existing properties, Brynn Barn Bed and Breakfast, a single storey barn conversion and number 38a High Street a two storey brick dwelling. Bryn Barn's principle elevation, which contains the entrance doors and two windows, faces onto the proposed drive and has a small walled garden in front of the dwelling spanning a width of 4.5 metres. Visitor parking is accessed from the grass track further along where there are hard standing spaces available. No. 38 presents a gable end on to the proposed access drive and the</p>

<p>disturbance and over looking being in front of the principle elevation.</p> <p>All of the eastern side of our property is single storey, is low lying and as the land rises behind by up to 1.5 meters any housing will dominate our own and surrounding dwellings, blocking the open views enjoyed by us our guests and the residents of Waltham on the Wolds.</p> <p>Plot 1 presents a dominant gable at the top of the garden are of Bryn Barn this will create a dominant an oppressive situation for the residents and the visitors....the trees are not there and this is false representation of the true impact.</p> <p>The adjacent terrace of houses in plots 1,2 and 3 will cause loss of amenity to Bryn Barn, due their proximity, their height, especially in relation to the neighbouring single storey buildings, and the shadow caused by being south of Bryn Barn</p> <p>The amenity of adjoining residents would be adversely affected</p> <p>The dark skies will be replaces with artificial lighting which will adversely affect our residential amenities as currently enjoyed.</p> <p>Having development built behind our property (no. 50) will affect our privacy and outlook.</p> <p>The proposal would be visually intrusive and cause overlooking.</p> <p>The number of vehicles using the drive will cause noise disturbance.</p> <p>The dwellings are to be sited on higher land and built up for drainage reasons and will cause an</p>	<p>full 40 metres length of their garden area will be bound by the access drive. There are no separate footway provisions and vehicles/pedestrians will share the driveway which would be up to the boundary of number 38a. It is considered that the relationship would introduce an unneighbourly arrangement for both residents who will be subjected to noise and disturbance from the traffic movements that a development of 28 dwellings would bring. Policy OS1 seeks to ensure that residential amenities are safeguarded from undue noise and would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity. It is considered that due to the narrow width between the dwellings that the access drive would cause loss of residential amenity..</p> <p>The rear amenity space of number 38a will also be compromised to a degree which at present is open and for security and privacy purposes a higher boundary treatment would be required as at present it is only formed by a post and rail fence at the top within the paddock itself. At the top of the garden a garage block is proposed however given the separation distance it is considered that the residential amenities from the buildings would not be unduly affected but the visual outlook would alter.</p> <p>Plot 1-3 is a block of three dwellings in a terrace style. The gable end of plot 1 would be sited approximately 19 metres away from the single storey gable of Bryn Barn which is in L-Shape form on plan looking out on to a rear landscaped courtyard. No windows are proposed on the end elevation which will have an overall ridge height of 7.245 metres with the chimney stack rising to 8.736 metres. The site rises from north to south and the development would sit much higher than Bryn Barn and due to it being single storey the massing of the gable of plot 1 would be imposing to the residents from the amenity area. Due to the L-Shaped arrangement of Bryn Barn the principle windows face onto the landscaped courtyard area and not directly at the gable. A single garage building is also would sit at the top along the rear boundary at a distance of 25 metres from any habitable window. This exceeds the Councils accepted separation distances of 21 metres. No overlooking or loss of privacy can be created as no windows are proposed. There is no doubt that building in this location would alter the outlook from the patio area which is enjoyed by guests of the facility which currently benefits from open views but it is not considered that the residential amenities would be unduly affected to a degree that would warrant a refusal from the construction of plot 1 in this location.</p>
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<p>overbearing impact upon residents along the north boundary.</p> <p>The proposal will impact upon the sun light into the gardens which are already often damp</p>	<p>Number 38-42 High Street benefit from long rear gardens, in excess of 40 metres. The rear gardens of plots 23-28 would be backing on to the existing gardens and due to the separation distance, even though the proposed dwellings would be more elevated it is not considered that adverse impacts would be caused to residential amenities.</p> <p>The impact on Number 48 would be worse as they would lose their entire residential garden. Unfortunately this is only secured by a garden licence which could be revoked at any time. The developer has indicated that 70 square metres of space will be offered to them under a new garden licence. Plots 19-22 have been redesigned following concern on overlooking to number 48 which sits in a much lower position to the proposed quarter houses (4no. flats). The rear elevation contains no windows in the first floor and proposes roof lights to the kitchens to eliminate any overlooking. Number 48 has a balcony over the ground floor extension with patio doors leading out from the bedroom. Given that they will have a reduced amenity space it is probable that the balcony would be well used. The separation distance from these doors to the rear elevation is approximately 18.5 metres, from the edge of the balcony it is less at 15 metres. Due to the separation distance being below the Councils accepted separation guidelines of 21 metres (window to window) there is an opportunity for overlooking from the balcony area into the ground floor patio doors to the living room of the proposal. Due to the rise in topography and that a condition requires the new builds to be erected 150mm above the ground level the variation would mean that a 2 metre boundary fence could assist with screening, limiting the overlooking into the rooms.</p> <p>Due to the back land location there are no residential properties sitting to the west, south or east that could be greatly affected.</p>
<p><b>Drainage</b></p> <p>There is also a real problem with the mains sewer in the lower end of the High Street, with many days of unpleasant odour. To add 29 properties will again only make this situation much worse.</p> <p>The site often floods.</p> <p>The geology of the site is one that would not be suitable to development. The flooding potential is therefore significant, not at the proposed development site but elsewhere in the village.</p> <p>The back fields are prone to flooding with the water running down into the gardens</p>	<p>A Flood Assessment has been carried out and independently reviewed by the Environment Agency and the Lead Local Flood Authority with no objections raised subject to conditions. The details of these are addressed above under the comments from the Environment Agency and LLFA within the report above.</p> <p>Under the Surface Water Management Act 2010, the requirement for the use of Sustainable Drainage (SUDs) systems is required on a development of this scale. The aim of SUDs is to restrict development runoff at peak flow rates to predevelopment rates, in this case – greenfield runoff rates will apply, to ensure they do not add to flooding issues.</p>

<p>Water comes up from the aquifers and causes flooding on the site.</p> <p>No 36 High Street has been severely affected by flooding from the site in the past (photographs supplied) as recently as 2012. The field got so water logged because of the perched water table it ran down in to the gardens and patio</p> <p>The fact that the proposed dwellings are to be raised 150mm to safeguard against flooding does not give confidence to the residents previously affected by flooding that flood risk will not occur.</p>	<p>The issues raised through the consultation highlights that there is an existing problem which cannot be rectified by this proposal.</p> <p><b>The application has been supported with appropriate reports which have been independently reviewed by the Environment Agency, LLFA and Seven Trent Water Authority and they raise no objection subject to conditions (see above).</b></p>
<p><b>Economics</b></p> <p>The proposal would impact greatly on Bryn Bed and Breakfast facility. The access road impacts upon the parking provision The number of vehicles using the access road would be intolerable for us and our business. The safety aspect, the noise and pollution generated with queuing vehicles waiting to exit onto an already busy road right next to our dining room. The rural attraction will be greatly affected.</p> <p>Bryn Barn is disabled friendly but this development will impact upon the parking provision and having no footpath will compromise safety for the less abled bodied visitors getting to and from their cars/bed and breakfast.</p> <p>Bryn Barn Bed and Breakfast will have its outlook affected by the development which will impact upon the business as it will no longer be a quiet tranquil place to stay and visit the area.</p> <p>Bryn Barn is charming and quiet and is easily accessible for us at our advanced age and we can safely park our car close to the B&amp;B.</p> <p>Bryn Barn will lose its unique atmosphere if these new house are built and the plans should be reconsidered.</p> <p>Bryn Barns attraction is its quiet rural location – this will be severely affected should the proposal be allowed.</p> <p>An invaluable asset to the village, Bryn Barn B &amp; B, is under serious threat from this plan due to the narrow site access at the side of the property, the increased traffic, noise and pollution both during the construction and beyond.</p> <p>If allowed this could affect the viability of the Bed and Breakfast facility which is an asset to the village.</p>	<p>Noted. An assessment in relation to the impact upon Bryn Barn is contained above. It is accepted that the outlook would be altered from one of open fields to residential development and that there would be loss of privacy and amenity from the access drive being in close proximity to principal windows.</p> <p>Loss of views is not a valid reason for refusal however, the argument put forward is that the viability of the bed and breakfast would be affected as the attraction of the rural outlook would be compromised. This does not amount to the facility not being viable and those looking for bed and breakfast facilities in a pleasant rural village would still have the choice to use the facility.</p> <p>The resurfacing of the access drive to the parking bays could improve the parking provision for those less abled would have a smooth surface to navigate around.</p> <p>No evidence has been submitted to state that the business would no longer be viable. Whilst objections have been received from guests that frequently use the facility and state that they would no longer choose to visit if development was approved. It is a matter of personal choice and does not secure the argument that the facility would not be used at all.</p>

<p>The construction phase will cause disruption to the Bryn Barn and could affect the viability of this facility if people chose not to come because of the noise.</p>	
<p><b>Wildlife</b></p> <p>It will lose a wildlife area and have a detrimental impact upon the foxes, birds, hedgehogs, pheasants.</p> <p>There is no ecological impact survey but only a nod to conservation with a 2m wide wildlife corridor along a seemingly convenient boundary.</p> <p>The amended plans include a two metre wild life corridor but does not at the top of Bryn Barn which has a residential boundary and car port at the top...it defeats the objective of a ecology corridor.</p> <p>No survey of the existing trees and hedgerows have been undertaken.</p> <p>Insufficient information has been submitted in regards to landscape.</p>	<p><b>Appropriate surveys have been submitted and have been independent reviewed by the Council’s Ecological advisor. The ecological advisor does not object to the proposal (see above)</b></p>
<p><b>Sustainability</b></p> <p>The proposal does not seek to provide renewable energy or rain water harvesting. Only attempting to meet the minimal requirements under building regulations.</p>	<p>Noted. There is no intention to meet any sustainable building coding and the development will be constructed to current building regulations requirements.</p> <p>The village of Waltham has no piped gas and residents typically have oil as their main heating fuel. The proposal makes no provisions for oil tanks and proposes to use electricity as the single source of energy to serve the residents. Due to the roof pitches being altered they are not suitable for solar energy.</p> <p>When questioned on fuel poverty the applicants have advised that the running costs for a four bedroom detached dwelling (example provided for plot 8) would be typically £90 per month for the running of electricity for heating, hot water and lighting. It is claimed that they will have the cheapest running costs of all the residents who similarly do not benefit from mains gas.</p>
<p><b>Planning Policy:</b></p> <p>The development would be outside of the village envelope and should not be permitted.</p> <p>The proposed development is outside the village envelope, and thus contrary to the Development Plan, which a legal loophole appears to over-ride.</p> <p>This parcel of land on which the proposed development is sited has always been designated</p>	<p>The site is located in the open countryside beyond the settlement boundary of Waltham on the Wolds and, therefore, saved Policy OS2 is applicable.</p> <p>While this policy is applicable it is not consistent with the NPPF. This is because the NPPF does not take the same blanket approach to restricting development and protecting the countryside. This issue was addressed in the decision on the housing site on Nottingham Road (14/00078/OUT), other appeal decisions and</p>



<p>agricultural land indeed planning permission has been refused before on at least three separate occasions because it lay outside the Village Envelope</p> <p>The Adopted Melton Local Plan specifies that for a small group of dwellings to be considered acceptable. There will be a need to ensure that development does not adversely affect the form, character and appearance of the village. Contrary to this requirement, the planned development is substantially outside the village envelope and would have a harmful impact on the character of this charming village.</p> <p>This is back land development, which is against the Adopted Melton Local Plan</p> <p>The proposal does not comply with policy OS1 and BE1 it does not harmonise with the surrounds and will be over development of the site.</p> <p>The proposed development by virtue off its detachment from the village, inward looking aspect and isolation from the High Street, would have a detrimental impact on the character and appearance of the village as well as the Conservation Area and is contrary to policies OS1, BE1 and H19 and the NPPF.</p> <p>Paragraph 54 of the National Planning Policy Framework states that in rural areas, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, there does not appear to be any such local need for a further 29 new dwellings within the village.</p> <p>The proposal fails to represent sustainable development is contrary to the NPPF. Particular parag. 64 in respecting local distinctiveness.</p> <p>That MBC does not have a current local plan should not be seen as a green light for developers to push through schemes without due scrutiny.</p> <p>The NPPF is designed to speed up the planning process but not at any costs.</p> <p>The provision of 21% Affordable Housing is below that normally required and the benefits are lower.</p>	<p>recent case law.</p> <p>The key issue is the supply of housing sites within the Borough and whether the proposed development benefits from the presumption in favour of development as confirmed by the NPPF. There is currently significantly less than a 5 year supply of deliverable housing sites in Melton Borough. In such cases paragraph 49 of the NPPF indicates that relevant policies for the supply of housing should not be considered up to date.</p> <p>Recent appeal decisions have concluded that that the wording and intention of Policy OS2 aims to protect the countryside by strictly limiting new development and in so doing must inevitably restrict the supply of housing. <b>This is in accordance with other recent appeals elsewhere and supporting case law and as such is inconsistent with the NPPF.</b></p> <p>Since OS2 is a relevant policy for the supply of housing and this Authority does not have a 5 year housing land supply of deliverable housing land <b>Policy OS2 must be considered to be out of date</b> within the terms of paragraph 49 of the NPPF. Consequently, the presumption in favour of sustainable development applies and paragraph 14 of the NPPF is engaged.</p> <p>Paragraph 14 states that where the presumption applies, and where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would <b>significantly and demonstrably outweigh the benefits</b>. This is when assessed against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate that development should be restricted.</p> <p>There are three dimensions to sustainable development; economic, social and environmental.</p> <p><b>Economic</b> The proposal would deliver a number of construction jobs and associated employment in the supply chain. It is also noted that housing construction generates economic activity and the new development would generate New Homes Bonus payments to the Council and Council Tax receipts. The increased population would help to support local businesses and would include skilled workers. This is not disputed.</p> <p><b>Social</b> It is accepted that the proposal would provide a range of social benefits; principally 28 new homes, including 6 affordable housing. There would be other benefits secured by Section 106</p>
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	<p>contributions. However the affordable housing, which is in great need within the borough, is not meeting the full requirements a development of this size would be required to contribute, its only providing half of what would be expected and therefore has less public benefits socially.</p> <p>The construction of the access for 28 dwellings between two existing residents would create noise and disturbance to the occupiers and the visitors of the Bed and Breakfast facility. This harm to residential amenity cannot be made acceptable due to the restriction and ownership issues at the access point. This goes against a core planning principle in ensure a good standards of living or both future and existing.</p> <p><b>Environmental</b></p> <p>The Transport Assessment and subsequent additional data which was submitted seeks to confirm that the existing road network is capable of accommodating the increase in traffic movements associated with the proposed development and no objection has been received from the Highway Authority.</p> <p>Flood issues associated with the site have been highlighted, which is, as a result of the geology of the site. The expert bodies have confirmed that they have no objection to the redevelopment of the greenfield site subject to conditions requiring floor heights to be raised and the use of sustainable drainage systems. Although further testing is suggested prior to development to take place to see if any mitigation is required during the construction phase to prevent flood risk elsewhere.</p> <p>The development undoubtedly would change the character and appearance of this part of the village which is linear in form and is considered to be harmful to the character of the area. Of significant to warrant a refusal of planning permission which goes against core planning principles to take account of the different roles and character of different areas...recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p> <p><b>The site is considered to be greenfield and not brownfield.</b> The NPPF encourages the re-use of brownfield land but there is no prohibition on the use of greenfield land. In Melton's circumstances, there is insufficient brownfield land to meet supply and Greenfield locations are required to satisfy demand.</p> <p><b>Conclusion on Planning Policy issues:</b></p>
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	<p><b>In terms of housing supply saved Policy OS2 is deemed out of date and the NPPF provides the policy basis. It is considered that the development would deliver some economic and social benefits which should be given weight in the determination of the application. However, the environmental harm, specifically the harm to the character of the area and residential amenities, are sufficiently significant and demonstrable to outweigh the benefits of the scheme.</b></p>
<p><b>Other Matters:</b></p> <p>There are a number of inaccuracies within the planning statement.... Where is the data to show that this small village school could take the extra children this housing would generate.... Farming Vehicles. Where is there any reference to what this road is used for on a daily basis? Combine Harvesters, tractors, Lorries, Trailers, all from local farms are up and down High street every day....there is only one public house.....GP facilities area available in Waltham.....Belvoir is the catchment area for high schools..... as professionals you cannot rely on its credibility to provide you with factual data.</p> <p>Far too many houses they are not needed in Waltham.</p> <p>Already have affordable housing at Twells Road.</p> <p>Affordable Housing should not be built on un-adopted access roads where the costs are passed down to the residents – goes against ‘affordability’</p> <p>The applicant has not demonstrated any need for the proposal and there are no planned new employment in the village for it to serve.</p> <p>The infrastructure in Waltham is inadequate to cope with a development of this nature. Electricity cuts are already far more frequent than they should be, water pressure is painfully low and the sewerage system is struggling to cope with the village as is.</p> <p>Can the school accommodate more children from the village?</p> <p>Approval would set a dangerous precedent to the rest of the greenfields around villages.</p> <p>The house types do not propose any bungalows which help a number of people, such as elderly residents and those with mobility.</p>	<p>Noted. However proposals are supported with reports and surveys which are sent out to third parties as part of the consultation. Should any shortcomings be found with the reports the applicants are notified and amendments where necessary are sought. Members of the public through local knowledge often raise matters which have not been considered at the initial stages, as was the case with the geology of the area and again updates/amendments are requested. It is considered that the relevant facts are understood and the decision reached on them is sound.</p> <p>The Borough of Melton is deficient in housing supply and all housing developments go to supporting the housing needs of the residents this includes affordable housing.</p> <p>The applicant is in discussion with a Registered Provider and no commitment has been given at this time.</p> <p>No objection has been received from Seven Trent Water Authority or Western Power. The applicant has been in discussion with Western Power and upgrading work is required and includes and off site substation to support the proposal.</p> <p>The education authority has advised that Waltham Primary school has a net capacity of 100 pupils and is currently running at 78 pupils which gives a surplus of spaces to support demand from the proposal.</p> <p>Each application has to be adjudged on its own merits.</p> <p>There would be a mix of house types available – 2 no. 1 beds, 16 no. 2 beds, 8 no. 3 beds and 2 no. 4 beds but correctly stated that there are no</p>

<p>No consideration has been demonstrated in the application on the long-term disruption caused by construction traffic, along with increased noise (construction workers, construction traffic, plant and equipment) and air pollution (dust), during the build phase</p> <p>English Heritage has not been consulted. This development affects heritage assets in the area..</p>	<p>bungalows proposed which is a house type which is substantially deficient.</p> <p>Noted. There will be disruption from construction phase which will be relatively short lived. The construction industry have recognised codes of standards to adhere to (this is not controlled by the Council)</p> <p>The proposal did not trigger consultation with the English Heritage and has been adjudged against planning policy and legislation.</p>
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**Other Material Considerations, not raised through representations:**

<b>Consideration</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Public Benefits/Viability</b></p>	<p>The proposal to construct 28 dwellings would go towards the provision of housing in the borough and would promote housing growth. In the absence of a 5 year land supply the Council is required to look favourably on housing development particular where any harm can be made acceptable. This requires a careful balance of public benefits against any identifiable harm.</p> <p>In this case the applicants have claimed that due to viability they are unable to meet the full affordable housing requirement but are prepared to meet the S106 requests for contributions towards highways, civic amenities (waste) and library. To support this claim a viability report was submitted and this information has been independently assessed by the District Value Office (DVO). The assessment of DVO concluded that the scheme was viable and the full 40% affordable housing could be met. This response was challenged by a further consultancy commissioned by the applicant who concluded that the scheme in his opinion was not viable to deliver any affordable housing but that the applicant was prepared to deliver 21% as outlined within the application.</p> <p>It is considered that if the scheme is not viable to deliver any affordable housing the public benefits are greatly reduced, nevertheless the applicants are prepared to honour the 21% at this point in time.</p> <p>In considering the public benefits of supply of market housing with some affordable housing and contribution to employment within the construction industry, when engaging paragraph 14 of the NPPF the public benefits are not considered to outweigh the significant harm to the character of the area and residential amenity and therefore does not meet the objectives of sustainable development as promoted through the NPPF and should be resisted.</p>

## **Conclusion**

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

The Borough is deficient in terms of housing land supply more generally and this would be assisted by the application, in a location that is considered to be sustainable in terms of access to services and facilities and with good transport links.

Affordable housing provision remains one of the Council's key priorities. This application presents affordable housing that goes some way to meet identified local needs but falls short by a considerable amount (i.e 21% provision). Accordingly, the application presents a vehicle for the delivery of a limited quantity of affordable housing but of a quantity that is not in proportion with the development. Waltham on the Wolds is considered to be a sustainable location with good access to services and is capable of accommodating growth that respects the rural character of the area.

Due to the back land nature of this greenfield site development of this size is not considered to be reflective of the general pattern of development evident in the village and represents a dense form of development out of keeping with the distinctive village character and form of development. It proposes a much higher density and due to the location of the access between two residential properties is not considered to safeguard residential amenities.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits; In this instance it is considered that permission should be refused as the harm identified is significant and demonstrable and outweighs the benefits of the scheme, and does not support sustainable development.

## **Recommendation: Refuse**

- 1.. The proposed development, by virtue of its layout, scale and density is considered to be of regimented urban form, inappropriate to and out of character with its village surroundings. The design will not add to the quality of the area, nor does it respond adequately to local character or reflect the identity of local surroundings. Accordingly the development would be contrary to Policies OS1 and BE1 of the Adopted Melton Local Plan and Part 7 of the NPPF 'Requiring Good Design'.
2. The proposed access drive to serve the development of 28 dwellings would create an over intensive development resulting in a detrimental impact on the residential amenities of the adjoining properties at the access point, Bryn Barn and number 38a High Street. The impacts are considered to be significant and no mitigation can be achieved due to the restricted width available. The proposal is considered to be contrary to saved Policies OS1 and BE1 of the Adopted Local Plan and Part 7 of the NPPF 'Regarding Good Design'.

Officer to contact: **Mrs D Knipe**

**Date: 6<sup>th</sup> July 2015**