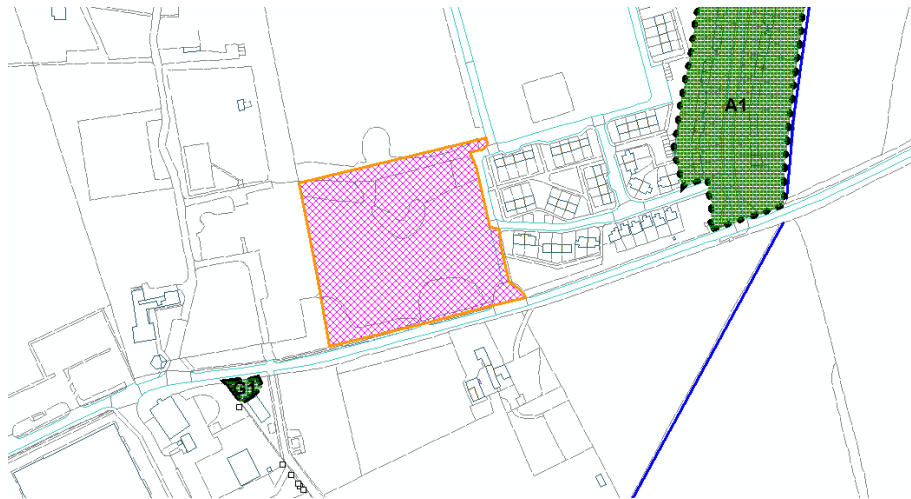


Reference: 15/00017/OUT
Date submitted: 11.02.15
Applicant: Family Housing
Location: Land West Of Marquis Road And North Of Station Road, Queensway, Old Dalby
Proposal: Residential development of up to 39 dwellings and associated works.



Proposal :-

This application seeks outline planning permission for up to 39 dwellings of which 16 would be affordable housing, and associated infrastructure on land falling outside of the village envelope for Queensway, Old Dalby. Access to the site is proposed directly from Station Road. The site is considered to be a greenfield site, not having been previously developed but was in the former use by the MOD. The applicant owns the 4 acre field to the north.

The application seeks consent for the access only with all other matters relating to layout, scale, appearance and landscape reserved for later approval. An indicative layout plan has been provided to show how the site could be developed should approval be granted.

The application has been supported by a Planning Statement, Design and Access Statement, Flood Risk and Drainage Assessment, Archaeology Assessments 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**
- **Impact upon Ecology**

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

History:-

No relevant history

Planning Policies:-

Melton Local Plan (saved policies):

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

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

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

Policy 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

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

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority:</p> <p>The proposal is not within Old Dalby village centre and there are few local amenities</p>	<p>The application is outline with the access for consideration with all other matters reserved. An indicative layout plan has been provided which shows how the proposal could be laid out on the</p>

<p>surrounding the proposal and within the village centre. The village centre including the primary school is over 1200m from the site therefore it is unlikely that residents would walk to the centre or the primary school. The closest bus stops are served by the Centrebus 23/24 services which combined offer hourly service in the morning peak on school days but are largely a 2 hourly service provision to Melton Monday to Saturday, not hourly as shown in the submitted Transport Statement. The Highway Authority would consider the proposal to be unsustainable in transport terms. If you are minded to grant approval for the site, the Local Highway Authority would wish to see the following conditions imposed in the interests of highway safety.</p> <ul style="list-style-type: none"> • Drainage • Parking • Conforms to Highway Design Standards • Traffic management plan • Routes of construction traffic 	<p>site. It proposes a single point of access from Station Road with two branch roads off to serve 39 dwellings, including 16 affordable housing, sited along the estate road, mimicking the existing layout of the neighbouring residential estate.</p> <p>The Highways Authority do not object to the access or road layout but have commented that the site is not well served by public transport and therefore considered to be an unsustainable location in transport terms.</p> <p>The settlement of Queensway consists of former MOD housing, serving the military that were stationed there on the former army base. The base is now an employment site; Crown Business Park and Old Dalby Trading estate occupied by various businesses. There is a brewery on the site which opens to members of the public and sells food but there are no shops in the vicinity. There are two bus services running in the area linking Old Dalby, Queensway, Nether Broughton to Melton Mowbray but not as regular with the changes in public transport provisions.</p> <p>The village service audit of the borough's villages considers that the village of Queensway is a sustainable village, being close to the large employment site and having a regular bus service and good links to Old Dalby and Melton. The village of Old Dalby lies within 1.3 kilometres to the west, accessed by a footpath (n.b this distance is similar to those associated with locations on the edges of settlements, such as Melton Mowbray). Within the village of Old Dalby there is a primary school, pre school, village hall, church and public house/restaurant, which although closed recently is due to reopen soon. The village of Nether Broughton lies to the north east approximately 1.5 kilometres. The village sits on the A606 Melton to Nottingham and has a regular direct bus service operating, linking Melton to Nottingham.</p> <p>Notwithstanding the highways comments it is considered that the site location performs reasonably well (albeit far from ideal) in sustainability terms – resulting from the services and transport links in the immediate vicinity and the advantage of proximity to facilities in nearby Old Dalby. It would not have severe harm in transport terms and would not have a detrimental impact upon Highway Safety subject to the conditions as requested by the Highways Authority.</p>
<p>LCC Ecology</p> <p>Comments are made in respect of the updated survey submitted in support of this application</p>	<p>Since the comments were received the applicant has been in direct discussion with the County to discuss mitigation options. The applicants own all of the land to the north and are prepared to</p>

<p>(Philip Irving, April 2015) and a site visit.</p> <p>The April survey completed by Philip Irving concludes that the grassland is species poor and contains no significant indicators of more species rich lowland meadow communities. However, LCC's survey recorded sufficient indicator species for the site to meet our Local Wildlife Site criteria. The grassland on the application site meets the criteria for a Local Wildlife Site as it contains nine grassland indicator species and also meets the criteria for its use by communities as a place to see and enjoy wildlife, as a number of desire lines were present throughout the site. It is also consider that the application site should be seen as part of the much larger site, extending to the north (in line with the rear gardens of the houses on The Crescent).</p> <p>Local Wildlife Sites are by definition of county-wide value for wildlife, and are the priority local BAP habitats for conservation. The loss of this large area of LWS-quality grassland, of high community value for the enjoyment of nature, would be significant.</p> <p>No mitigation or compensation has been offered by the applicants, and in the absence of this, LCC would object to this application based on the loss of a Local BAP priority habitat that meets out Local Wildlife Site criteria. This is in accordance with paragraph 118 of the NPPF.</p> <p>During the site visit by the County Ecologist it was noted that the grassland is not all of the same quality. In some areas, coarse grasses were dominant and It was considered that the grassland was at risk of declining in quality due to lack of appropriate management; grasslands need to be hay-cut or grazed in order to retain their value for wildlife. If not managed properly, species-rich grasslands eventually lose their value.</p> <p>LCCC would be able to accept the loss of part of the grassland on the condition that the remaining part was enhanced for wildlife through long-term appropriate management.</p> <p>If a satisfactory long-term management plan of the area to the north of the application site was submitted, It is considered that this would be acceptable compensation for the habitat that will be lost, and LCC would be able to withdraw the objection.</p>	<p>bring the land forward to provide net biodiversity gains to the site and area.</p> <p>A Biodiversity Enhancement Scheme has been submitted outlining effective management of the remainder of the site to compensate for the loss of the existing habitat to the development.</p> <p>The ecological advisors have confirmed that they are in agreement with the plan in principle, but have advised that if the site is to be grazed, consideration is given to the installation of estate type fencing rather than electric fencing. This will continue to allow public access to the site, which appears to be a locally valuable resource.</p> <p>It is also recommend that a condition is forwarded requiring the submission of a conservation management plan for the land to the north of the development area prior to the commencement of the development. The reason for this is to enhance the habitat quality of 4ha of species rich grassland to compensate for the loss of 2ha to development however it is advised that there must be a long-term commitment to managing this area of land.</p> <p>Whilst no evidence of protected species were recorded on site during the survey earlier this year, the applicant must be aware that protected species surveys are only considered to be valid for 2 years. It is therefore recommended that a condition is imposed requiring an updated protected species survey to be submitted either in support of a reserved matters application, or prior to the commencement of the development, if a period of two years or more has elapsed.</p> <p>There are no objections to the development of the site subject to conservation management plans being put in place throughout the life of the development. The NPPF paragraph 109 seeks to halt the decline in biodiversity and seeks net biodiversity gains with development proposals. It is considered that the proposal can achieve this and supports biodiversity objectives.</p> <p>It is considered that the proposal complies with the NPPF and subject to the conditions requiring a conservation management plan the proposal is acceptable.</p>
<p>Lead Local Flood Authority: No objection subject to conditions requiring a suitable scheme for surface water management.</p>	<p>It is noted that the current proposal does not identify the use of any SuDS features, but proposes the use of underground storage tanks. The LLFA do not consider the use of underground storage tanks or oversize pipes as a suitable treatment system and would expect any</p>

	<p>future surface water drainage scheme to assess the use of SuDS options, including but not limited to swales, attenuation basins and permeable paving, in line with CIRIA SuDS Manual C697. In the case of this application The LLFA believe that the use of an above ground attenuation basin or swale would enable the surface water attenuation to be managed and also provide one of the required treatment trains to manage water quality. There are also areas of the proposed layout that could be used for permeable paving; this would also provide some treatment and attenuation for the proposed development</p> <p>The application was supported with a Flood Risk Assessment and the LLFA are satisfied with the findings and have no objection subject to condition requiring a surface water drainage scheme.</p>
<p>Environment Agency: comments awaited</p>	<p>Noted.</p>
<p>Severn Trent Water Authority: No objection subject to conditions requiring details of foul and surface water disposal.</p>	<p>Noted.</p>
<p>Parish Council: Objects</p> <p>Cllrs are opposed to the above application on the grounds that it is not sustainable.</p> <p>Queensway is not, as stated, part of Old Dalby, neither is it part of Nether Broughton. It is a settlement in its own right with its own electoral register and polling station. In 2006 it had its own village envelope consultation and was deemed a Category 3 area as it had a meeting place, bus service, public house and access to employment. Since then the bus service, which is still only 6 days a week, has been reduced to a 2 hourly service. The service does not run through the settlement but along Dalby Lane and Station Road. We have always questioned the idea that Queensway has a meeting place as this is privately owned by the scouts and is not a community building. Employment is somewhat limited as the majority of businesses on the 2 business parks are distribution and storage. The pub is actually limited bar space in the local brewery. Whilst appreciating that these are not planning objectives it must be stated that the proposed access road is privately owned as are the adjoining roads. The later are maintained through a management charge that local residents pay. It is not evident that they are prepared to allow 'free' access to all at a cost to themselves.</p> <p>Cllrs cannot see how any additional traffic can be accommodated on the already overloaded Station Road and Dalby Lane. Now that both business</p>	<p>The village of Queensway has been identified as sustainable village through the village audit assessment updated in 2011 and therefore appropriate for some housing growth. The village, whilst it does not have any shops or school, has access to local employment, regular six day a week bus service and a community hall. The larger village of Old Dalby lies some 1200 metres to the west where there is good access to preschool and primary education and families from the new housing would go some way to support the school. The site falls within the catchment area of Old Dalby C of E Primary School. The School has a net capacity of 147 and 112 pupils are projected on roll should this development proceed; a surplus of 35 places after taking into account the 8 pupils generated by this development.</p> <p>As pointed out the bus services across the Borough are in decline, the extra residents could support the Old Dalby bus service however it is accepted that using public transport is a personal choice and car use cannot be eliminated. The Highways Authority have requested that the developers provide travel packs to the new residents and improve the bus stops in the area in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use.</p> <p>The Highways Authority have not objected to the increase in car use from the proposed development subject to the conditions requiring a</p>

<p>parks are full road usage has substantially increased. Borough Cllr Orson has requested a traffic survey. Given that the parks are used for distribution and storage a high percentage of the traffic is HGV's. The width of these vehicles along with the narrow footpath make walking to either village at the least difficult and in some cases dangerous.</p> <p>The infrastructure for this size of development is simply not in place. No shops (in the whole of the Parish), a skeleton bus service, inadequate transport links, an almost full school in Old Dalby and an overloaded Doctors surgery, in Long Clawson, confirm that the proposal is not sustainable.</p> <p>It should also be pointed out that this site has not been identified for development in the draft Melton Plan.</p>	<p>suitable access into the site in accordance with the design standards.</p> <p>The village of Queensway is close to existing facilities at Old Dalby and Nether Broughton. The public house at Old Dalby has already been under threat having been closed for a number of months and additional housing in the area could help to retain existing services such as the pub and bus service. The Brewery opposite the development site is also available to members of the public. LCC has advised that the school is not at capacity and a new influx would support the school. Doctors surgeries are also available in the town which has a more direct access by public services.</p> <p>The new Local Plan is still to be formalised following input from reference groups it is expected that a preferred options will be published this autumn: no sites have been allocated to date. The Local Plan 1996 is considered to be out of date and during this transitional period the saved policies are to be weighed against the NPPF where they are compatible the policies will retain weight.</p> <p>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. Several appeal decisions have found that village envelope policies (OS2) are out of date and can carry no weight in this context.</p> <p>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 significantly and demonstrably outweigh the benefits. 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>The proposal would provide a vehicle for the delivery of 16 affordable housing units (40%), which are in great demand and market housing that would be of a size to meet the current</p>
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<p>Amended Plans Consultation</p> <p>The access changes are to overcome the ownership issues and does not change that the site is unsustainable.</p> <p>The new access will cut the footpath route into Old Dalby and will increase traffic. It is already a narrow footpath.</p> <p>The bus service is limited and they have named the wrong service. No. 14 is to serve Queensway Melton not Old Dalby.</p> <p>Cllrs fail to see how the development can be sustainable given the facts and nor do they feel that the existing road infrastructure can cope with any additional traffic given that new 2 new developments ie Faulks and the Enterpriser Village are still to come on line and will increase traffic movements considerably.</p>	<p>identified housing needs in the Borough. In addition, it would improve the net biodiversity of the site through enhancements to the adjoining field, which members of the public would be encouraged to use. These benefits are considered to outweigh the limited harm to the environment (location). S106 contributions have been requested by the Highways Authority to assist in mitigating harm through upgrading the public transport facilities and encouragement of using public transport through issuing of travel packs.</p> <p>The proposed resiting of the access removes the issue concerning to management and upkeep of the road. The Highways Authority has no objection to the proposed access directly off Station Road. Whilst this new road layout will only serve the proposal pedestrian links will be formed to link the two estates.</p> <p>It is considered that the proposal would not have any severe impacts upon highways safety and could not be resisted on these grounds along.</p>
<p>Developer Contributions: s106</p> <p>Waste - The Civic Amenity contribution is outlined in the Leicestershire Planning Obligations Policy. 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 £3,224 (to the nearest pound).</p> <p>The contribution is required in light of the proposed development and was determined by assessing which Civic Amenity Site the residents of the new development are likely to use and the likely demand and pressure a development of this scale and size will have on the existing local Civic Amenity facilities. The increased need would not exist but for the proposed development. The nearest Civic Amenity Site to the proposed development is located at Melton Mowbray and residents of the proposed development are likely</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>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 122.</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</p>

to use this site.

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

Libraries - The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area. The proposed development on Marquis Rd Old Dalby is within 8 km 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 **£1090** (rounded to the nearest £10).

It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for materials, e.g. books, audio books, newspapers and periodicals etc for loan and reference use to account for additional use from the proposed development.

Highways

To comply with Government guidance in the NPPF, the CIL Regulations 2011, and the County Council's Local Transport Plan 3, the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use.

- Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).
- 6 month bus passes, 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 – NOTE it is very unlikely that a development will get 100% take-up of passes, 25% is considered to be a high take-up rate).
- Improvements to 2 nearest bus stops (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At

request is not compliant with CIL Reg. 122 in this instance as the improvements would not be relevant to this specific development or necessary.

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 be 'pooled' to increase the capacity at the civic site in Melton. Since April 2010 there have been more than five 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.

The contributions requested are considered appropriate and justified in the interest of encouraging sustainable travel and comply with CIL Reg. 122. The requests are relevant to the specific development which lies in a rural location where travel to shops and facilities will be encouraged by use of public transport.

Applying CIL Reg. 123(3) the contributions will not be pooled and will be spent to serve the development as requested by the Highways Authority. The requests are suitable for inclusion in a S106 agreement.

The applicant has agreed to the requests.

<p>£3263.00 per stop.</p> <ul style="list-style-type: none"> • Information display case at 1 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120.00 per display. • Contribution towards equipping the nearest bus stop(s) with Real Time Information (RTI) system; to assist in improving the nearest bus service with this facility, in order to provide a high quality and attractive public transport choice to encourage modal shift. At a total of £5,840. 	
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Representations:

Site notices were posted and neighbouring properties consulted. As a result **28 letters of objection have been received from 27 separate households** the representations are detailed below. 3 letter of support was received. Following amended plans 5 further objections were received stipulating that the original objection still remained.

Representations	Assessment of Head of Regulatory Services
<p>Highway Safety:</p> <p>The construction traffic will have severe impacts upon the environment</p> <p>There is already a lot of speeding traffic using Station Road this will just add to it.</p> <p>Walking along Station Road is problematic due to the high HGV movements to and from the business parks.</p> <p>The pavement to Old Dalby is very narrow and not suitable to walking families.</p> <p>The estate road is not adopted and maintained privately.</p>	<p>The proposed development would be served by a single point of access from Station Road. The development would have a spinal road serving all 39 properties.</p> <p>The Highway Authority raises no objections to the amended access plan, subject to conditions, see assessment above.</p>
<p>Impact upon the Character of the area.</p> <p>39 houses is too much and the primary school already has insufficient spaces.</p> <p>It would remove open spaces and degrade the countryside.</p> <p>There is no mention of any study in to the impact the proposed development would have on the</p>	<p>The site is currently a greenfield site that has been left to evolve over time. The proposal would introduce 39 new dwellings that according to the illustrative layout plan could follow the same pattern and form of the existing dwellings and layout to the east. It is considered that the proposal would provide an extension to the village of Queensway and is capable of reflecting the existing character.</p> <p>Following consultation with the County Ecologist it was considered that the loss of the field could be mitigated against through proper conservation management of the field to the north. The applicants are in agreement with the County and this area will remain as a conservation/biodiversity area that members of the public could enjoy.</p> <p>The proposal will bring along benefits to the local community in providing housing that includes</p>

<p>local community, especially if social housing is involved.</p>	<p>affordable housing for those not able to afford to get onto the property ladder.</p>
<p>Drainage</p> <p>Drainage system not adequate to serve 39 more dwellings.</p> <p>Flooding is common in the area concerned about the displacement of surface water.</p>	<p>A Flood Assessment has been carried out and independently reviewed by the Environment Agency, the Lead Local Flood Authority and Seven Trent Water Authority with no objections raised subject to conditions.</p> <p>Under the Surface Water Management Act 2010, the requirement for the use of Sustainable Drainage (SUD) 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>The issues raised through the consultation highlights that there is an existing problem which cannot be rectified by this proposal.</p> <p>The application has been supported with appropriate reports which have been independently reviewed by the Environment Agency, Lead Local Flood Authority and Seven Trent Water Authority and they raise no objection subject to conditions (see above).</p>
<p>Lack of facilities:</p> <p>There is a lack of local facilities in the area. The school is near capacity. There is no meeting place.</p> <p>The PO in Old Dalby is only open a couple of hours a week.</p> <p>Old Dalby is a small village which cannot support the addition of another 39 new houses.</p> <p>There is inadequate infrastructure to support extra housing and the associated families, cars, transport, and needs.</p> <p>The bus service is reduced.</p> <p>The doctors at Long Clawson is full.</p> <p>The business parks are unlikely to offer much employment opportunity.</p> <p>The bus service is only 6 days a week, stops at 6.00pm and is a 2 hourly service.</p> <p>The one bus only goes to Melton and is under threat of being discontinued.</p> <p>The school, which is 1200m away, would have to be accessed by car, the school hours bus service costs £1.10 for a child per journey and is a public bus service so anybody could be on that bus.</p>	<p>Noted the matters raised have been addressed elsewhere in the report on pages 4, 6 and 7.</p>

<p>Wildlife</p> <p>Loss of wildlife habitats.</p> <p>A haven for woodpeckers and other birds.</p> <p>This land has been unused for decades and has thus become a rich wildlife environment for badgers, foxes, songbirds, birds of prey, mice, a huge variety of insects, great crested newts and snakes. Plus there is a rich growth of fruit trees & shrubs which help to maintain that wildlife. The land is used by locals as a safe place to walk their dogs, & for children to play. Several public rights of way have been gained on the land.</p>	<p>Please see commentary above under LCC Ecology.</p> <p>As part of the proposal the area to the north of the site will be set aside to provide net biodiversity gains to the development and will be managed as a conservation area.</p> <p>Appropriate surveys have been submitted and have been independent reviewed by the Council’s Ecological advisor. The ecological advisor did not object to the proposal (see above)</p>
<p>Other Matters:</p> <p>The applicant owns far more land that is needed what’s stopping more housing to the north.</p> <p>The Parish Council has already rejected 15 dwellings nearby to Old Dalby.</p> <p>The residents pay for the maintenance and lighting of the site any new housing would need to pay. The site is accessed by private road, the residents of Dukes, Earls and Princess road pay for its upkeep. Would the road be adopted by the Council or, if the development was to go ahead, would the new residents contribute towards its upkeep?</p>	<p>The land to the north will be set aside for mitigation of the proposal in regards to biodiversity and will not be built on.</p> <p>The application has not yet been determined by the Local Planning Authority and is still being considered.</p> <p>This matter has been addressed the through the submission of the amended access plan.</p>
<p>Support – Crown Business Park Employers</p> <p>There are 10 businesses on the Crown Business Park which employ over three hundred personnel.</p> <p>All businesses are gradually expanding as the economy shows signs of strengthening.</p> <p>There is an Enterprise Village being developed at the rear of the site which will comprise some 25 starter units for small businesses. This will hopefully employ at least 100 further personnel.</p> <p>Most of the employees on the Crown Business Park travel to Old Dalby from Melton Mowbray, Leicester or Nottingham regions and would greatly benefit from affordable housing in local area. One Company in particular is looking to buy houses in the area to let to their staff. The creation of housing in the area would enhance the Business Park by making it potentially easier to recruit staff.</p> <p>More affordable housing in the area will be of benefit to employees...many have to travel in as there are not many affordable dwellings for rent in</p>	<p>Noted.</p>

the vicinity.	
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Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
Impact upon Residential Amenity	The application is in outline with only the access seeing approval at this stage. An illustrative plan has been provided which shows how the proposal could be laid out. The dwellings would be sited in a similar manner to the neighbouring dwellings but at a sufficient distance so as not to have an adverse or undue impact upon the existing residents.
Density and Layout	<p>The proposal seeks to provide 39 dwellings on a 1.8 hectare site which would be low density of 22 dwellings per hectare. All matters relating to the design and appearance would require further approval in the form of the reserved matters application.</p> <p>The 4 hectares to the north of the site will provide the open space provisions (policy H10 and H11) and will enhance the biodiversity of the area through a comprehensive conservation plan as requested by the County Ecologist.</p> <p>The illustrative layout plan shows a layout that is similar to the neighbouring estate but seeks to provide an active frontage along Station Lane through facing the dwellings onto the lane.</p>
Planning Policies and compliance with the NPPF	<p>The application is required to be considered against the Local Plan and other material considerations. The proposal is contrary to the local plan policy OS2 however as stated above the NPPF is a material consideration of significance, including its commitment to boost housing growth. The NPPF advises that local housing policies will be considered out of date where the Council cannot demonstrate a 5 year land supply and where proposals promote sustainable development objectives it should be supported. Successive appeal decisions have concluded that the village envelope policy (OS2) is out of date in the context of housing proposals adjacent to village envelopes and should carry no weight.</p> <p>The Council cannot demonstrate a five year land supply however this on its own is not considered to weigh in favour of approving development that is contrary to the local plan where harms are identified, such as being located in an unsustainable location.</p> <p>The site is a greenfield site where there is no presumption in favour of development however the harms attributed by the development are required to be considered against the benefits of allowing the development in this location. The</p>

	<p>provision of up to 16 affordable units with the house types that meet the identified housing needs is considered to offer significant benefit that weighs in favour of allow development in this location outside of the village envelope. The proposal due to its unique site characteristics is not considered to adversely affect the countryside designation due to its siting adjacent the built up area of the village to the east.</p> <p>It is considered that development in this location would assist in boosting housing growth in and close to identified sustainable villages and the harm identified (outside the Village Envelope) are outweighed by the benefits the proposal offers, subject to the signing of a S106 securing the affordable homes and developer contributions.</p> <p>The land is not good grade agricultural land and is undeveloped pasture land. Planning policies seek to develop brown field sites over greenfield but does not prohibit development on greenfield.</p>
Employment Opportunities	<p>The Authority has a Corporate Objective to create employment for local people. The applicants have been asked if they would agree to offer training hours in the construction industry and training programmes during the development of the site. The applicants have advised that they would agree to have this included within the S106.</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 partly addressed by the application,

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

There are a number of other positive benefits of the scheme which include biodiversity enhancement, surface water management in the form of a sustainable drainage, developer contributions to mitigate impacts upon local services and the local employment opportunities a development of this size would provide.

Though by no means ‘optimum’, the site is considered to perform reasonably well in terms of access to facilities and transport links; those in the immediate vicinity and the added benefit of a modest range of additional services in Old Dalby and Nether Broughton nearby. However there remain deficiencies, most obviously in relation to secondary/higher education, shops, health care and leisure/recreation.

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

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a greenfield site and sustainability – are considered to be of limited harm. This is because, in this location, the site benefits from a range of services in the immediate vicinity and nearby which mitigate the extent to which travel is necessary and limits journey distance, and because of the unique characteristics of the site provide potential for sympathetic design, careful landscaping and bio diversity opportunities.

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

Recommendation: PERMIT, subject to:

- (a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:**
- (i) Contribution to travel packs
 - (ii) Sustainable transportation
 - (iii) The provision of affordable housing, including the quantity, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs
 - (iv) Training opportunities

The following conditions to include:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site until approval of the details of the "external appearance of the building(s) landscaping of the site, layout and scale" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
3. The reserved matters as required by condition 2 above, shall provide for a type and size of dwellings that will meet the area's local market housing need.
4. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
6. Prior to commencement of development a Conservation Management Plan shall be submitted for approval of the Local Planning Authority for the 4 hectares of land sitting to the north of the development site as identified within the Biodiversity Enhancement Scheme, Philip Irving, June 2015. The site shall be maintained in accordance with the Management Plan in perpetuity and shall not be developed on.
7. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of two treatment trains to help improve water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off onsite up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage

features.

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

8. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
9. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be so maintained.
10. Before first occupation of any dwelling, car parking shall be provided, hard surfaced and made available for use to serve that dwelling on the basis of 2 spaces for a dwelling with up to three bedrooms and 3 spaces for a dwelling with four or more bedrooms. The parking spaces so provided shall thereafter be permanently so maintained
11. Notwithstanding the details submitted, the proposed development shall comply with the design standards of the Leicestershire County Council as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing, signing and lining and visibility splays and be submitted for approval by the local Planning Authority in consultation with the Highway Authority before development commences.

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

12. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable
13. Before the development commences, details of the routing of construction traffic shall be submitted to and approved by the Local Planning Authority (LPA) in consultation with the Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.

Reasons:

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To ensure that the housing needs of the borough are met.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
5. To provide a reasonable period for the replacement of any planting.
6. To enhance the habitat quality of 4ha of species rich grassland to compensate for the loss of 2ha to development.
7. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.
8. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
9. To reduce the possibility of surface water from the site being deposited in the highway causing

dangers to highway users.

10. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.
11. To ensure a satisfactory form of development and in the interests of highway safety.
12. To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.
13. To ensure that construction traffic associated with the development does not use unsatisfactory roads to and from the site.

Officer to contact: **Mrs D Knipe**

Date: 7 July 2015