

Committee Date: 13th June 2012

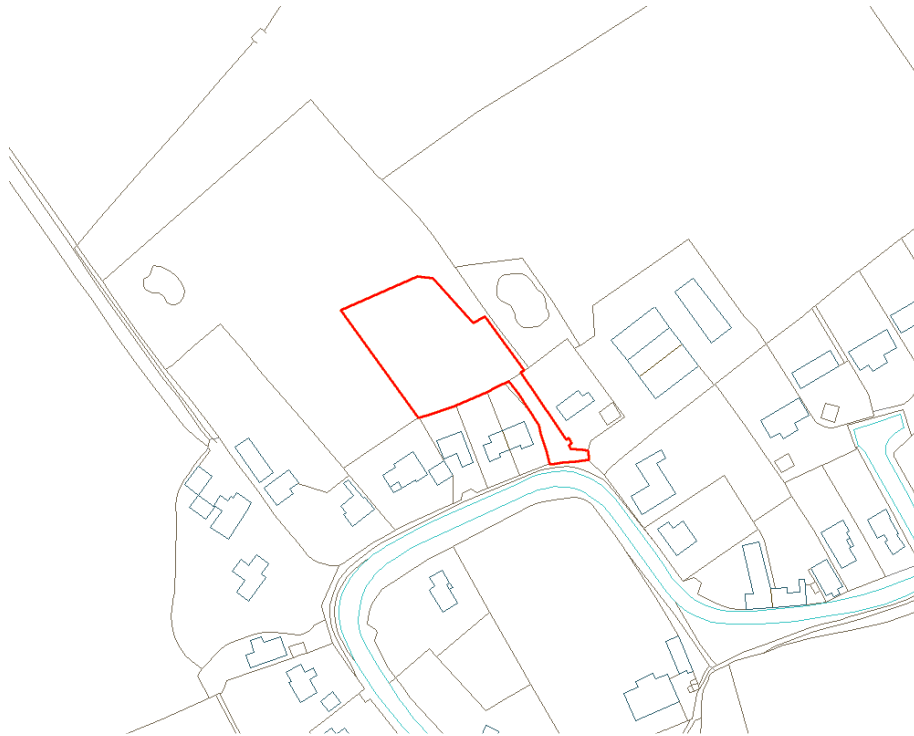
Reference: 12/00294/OUT

Date submitted: 12.04.2012

Applicant: Holme Developments

Location: Land behind 56-60 Church Lane, Long Clawson

Proposal: Change of use from paddock to residential use. Alterations to existing access and development of 4 new dwellings with associated landscaping improvements



Proposal :-

This application relates to outline planning permission for development of 4 dwellings on land outside of the village envelope for Long Clawson. The application relates to the approval for the access only off Church Lane with all other matters reserved. The indicative layout plan submitted shows four dwellings sitting adjacent to a development to the west of the site with the access, private drive and parking to the front. The public footpath that currently runs through the site is shown diverted around the outside of the development and would have a shared route along the access from Church Lane. Ecological enhancements have been suggested such as hedging to the rear and a balancing pond area to accommodate run off water.

It is considered that the main issues for consideration of the application are:-

- **Compliance with and currency of development plan policies in respect of housing outside of the village envelope**
- **Impact of the policies contained within the NPPF**

- **meeting the Borough's Housing Needs**
- **Impact upon the Character of the Area**
- **Impact upon Neighbouring Properties**
- **Impact upon Highway Safety**

The application is presented to Committee due to the number of representations received.

Relevant History:-

No history to report

Planning Policies:-

The National Planning Policy Framework was published 27th March and replaced the previous collection of PPS. It 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- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless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 offers advice on the weight to be given to 'emerging' policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

- **Proactively support sustainable economic development to deliver homes and business that local areas need**
- **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 and supporting thriving rural communities within it**
- **take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it**
- **encourage the effective use of land by reusing land that has been previously developed (brownfield land)**
- **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 relevant to this application it advises:

Delivering a Wide choice of High Quality Homes

- There is a requirement to maintain a five year land supply of deliverable sites. Taking into account windfall sites provides compelling evidence that such sites have consistently become available. Where there has been a persistent under supply a further 5% is required.
- Local Authorities are to set out their own approaches to densities to reflect local circumstances.
- Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 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
- Avoid new isolated homes in the countryside unless there are special circumstances

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.
- Securing high quality and inclusive design goes beyond aesthetics considerations and should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Promoting Healthy Communities

- Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
- Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them.

The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field),
- tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

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
- take into account the economic and other benefits of the best and most versatile agricultural land
- aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments

The 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)

East Midlands Regional Plan

Policy 1 – Regional Core Objectives – to secure the delivery of sustainable development within the East Midlands which includes a core objective to ensure that new affordable and market housing address the need and choice in all communities in the region.

Policy 2 – Promoting Better Design – states that the layout, design and construction of new development should be continuously improved.

Policy 3 – relates to the distribution of new development and states that development in rural areas should;

- maintain the distinctive character and vitality of rural communities;
- shortening journeys and facilitating access to jobs and services;
- strengthening rural enterprise and linkages between settlements and their hinterlands; and
- respecting the quality of the tranquillity, where that is recognised in planning documents

In assessing the suitability of sites for development priority is given to making best use of previously developed and vacant land or under-used buildings in urban or other sustainable locations, contributing to the achievement of a regional target of 60% of additional dwellings on previously developed land or through conversions.

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 BE1 - Siting and design of buildings: Allows for new buildings subject to criteria including the design harmonising with the surroundings, no adverse impact on neighbouring properties by loss of privacy or outlook, adequate space around and between buildings being provided and adequate access and parking arrangements being made

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.

The Melton LDF Core Strategy (Publication) Development Plan document:

The Core Strategy (CS) has been published and the 6 week consultation period has closed. The CS seeks to focus development in Melton Mowbray with a small balance (20%) in the surrounding Borough, with expectations to produce mixed, integrated housing developments and meet local needs by addressing identified imbalances in housing stock in all locations.

There are a number of policy objectives contained within the Core Strategy which apply to this proposal and will attract some weight given its close reflection to the NPPF.

CS2 Rural Centres:

To qualify as a Rural Centre there will have to be a full range of services and facilities available, including employment opportunities, to support new housing development. Long Clawson has been identified as a Rural Centre and therefore is capable of supporting new infill development.

CS4 Making Effective use of Land: Supports the use of brownfield land which will assist in meeting the target of 50% of development on brownfield land by 2026.

CS5 Strategic Housing: Seeks to manage the delivery of homes to provide a balanced housing market taking into account local needs. Promoting accessible design and apply Lifetime Homes Standards where appropriate to ensure new dwellings are flexible and able to meet the housing of a wider section of society, including people with disabilities and older people.

CS12 Better Design: Seeks to ensure that the design of all development makes a positive contribution to the character of the area. New development should integrate successfully into established settlements or rural areas without harming their character, appearance or setting. It also promotes the most effective use of land having regards to the form, pattern, scale and character of the area, provide safe environments whilst protecting residential amenity; and protect important heritage assets located within the borough.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority: No objections subject to imposing conditions relating to:-</p> <ul style="list-style-type: none">• access having a 5 metre width for the first 10 metres• drainage provided to prevent surface water run off into the highway• no gates off the access• turning and parking provided• surfacing of access drive and parking areas• highway free of mud from construction traffic• construction parking within the site	<p>The proposal is in outline form seeking approval for the access to the site only. An indicative layout plan shows how the development would be accessed if approved. It is proposed to utilise the existing field access which runs between nos. 54 and 56 Church Lane. A requirement stipulated by the Highways Authority is that the access is widened to 5 metre width for the first 10 metres into the site.</p> <p>The plan has been revised to show that this can be accommodated and no objection from the Highway Authority has been received.</p>
<p>Public Rights of Way: No objections</p> <p>The applicant has recognised the need to divert the footpath and has taken account of pre-application discussions. It is expected that the following specification for the alternative footpath to be included in any diversion order:</p> <ul style="list-style-type: none">• The alternative footpath will have a specified width of 5 metres.• The footpath will not be segregated from the vehicular access.• The shared access will have a hard bound surface to a point where there is a recess in the building line (rear of garage to plot 4) and from there, a stoned surface to the field gate.• No additional gates or barriers should be erected across the line of the footpath. A single pedestrian gate to be located at the new field entrance for the purposes of stock control.	<p>Public Footpath G32 runs diagonally through the site and it is proposed to apply to divert the footpath around the development should planning approval be granted. The indicative layout plan shows that the requirements as stipulated by the Rights of Way Officer can be met however this is not for approval at this stage as the application relates to outline consent for the access to the site only.</p> <p>The proposed new line of the footpath has been the subject of representation and issues associated with the indicated new route are addressed below.</p>

<ul style="list-style-type: none"> • Highway unsuitable for more vehicles. At this corner there are already 4 access points; • Ecologically sensitive area for great crested newts; • Local school is already full with no opportunity for expansion 	<p>compromised and due to being sited within the village envelope there was a presumption in favour of the development.</p> <p>Church Lane is not a classified road but is considered to be of suitable design and width to accommodate vehicles. The Highways Authority have not objected to further development of the lane and the existing field access is capable of serving the development without have a detrimental impact upon highway safety.</p> <p>The application has been supported with an Ecology report and the County Council Ecologist has comment on the proposal and has no objection to the mitigation measures proposed within the report but has requested an up to date survey of pond 2 which is currently being prepared</p> <p>The primary school has places for 105 children and currently has 101 registered with projection expected to be 103 in September. There is no known planned budget for expansion. The dwellings indicated within the design and access statement suggest that family housing is proposed however it cannot be demonstrated that children will be of primary school age nor that they could not be accommodated in the school, and projections beyond 2013 are not known. Long Clawson children get priority over 'out of catchment area' children.</p>
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Representations:

A site notice and press notice was posted and neighbouring properties consulted. As a result 28 letters of objection from 24 separate households have been received to date objecting on the following grounds;

Representation	Assessment of Head of Regulatory Services
<p>Planning Policy:-</p> <ul style="list-style-type: none"> • Not compliant with development plan policy OS2 • Outside of the village envelope where development is restricted • No special circumstances to deviate from the local plan • Village Envelopes were designed to prevent development sprawl in villages to retain the local distinctiveness and character. • The development plan is the valid planning document recognised by the NPPF and therefore remains relevant for this proposal • New government planning policy puts emphasis on local plans to protect character 	<p>The application site is situated outside of the defined village envelope and seeks to develop the paddock for residential development. The application is in outline form seeking approval for the access only however an indicative layout has been submitted which shows the extent of land required for development which goes beyond the village envelope and comprises 'open countryside' beyond.</p> <p>Local Plan policy OS2 has been 'saved' by the Secretary of State and therefore is considered to be the relevant Development Plan policy for determining planning proposals. The proposal fails to comply with policy OS2 and receives no Development Plan policy support.</p>

<ul style="list-style-type: none"> • The applicant’s statement is incorrect in stating that the appeal decision sets the precedent – that development was within the village envelope (Glebe Close) and was supported by the development plan the Inspector stated that it would not set a precedent for development that would have harmful effects • The Core Strategy (Issue and Options) document states that development will be made within the built form of the village – not outside of the village envelope. • No need to build outside of the village envelope houses could still be built within the envelope – infill development is supported • Would set a precedent against planning policy • To approve will give a green light of more speculative development outside of the village envelope 	<p>three/four bed dormer bungalow. The local need for the rural north is predominantly two bedroom dwellings and the suggested mix goes some way in meeting the local need.</p> <p>The proposal is for market housing and not being promoted as an exception site. The proposal is in conflict with the local plan policy OS2 and therefore has no local plan support. However it has been suggested through the supporting information that three of the dwellings will be built to assist with the identified local need for the Rural North but it is considered that this should not be accepted as overriding, i.e. regardless of any adverse impacts in terms of the environment or local distinctiveness of the village.</p> <p>The Inspector dealing with the adjacent site concluded that the development was within the village envelope which had policy support and was not considered to have an impact upon the linear form of the village. This was due to the housing development to the west being positioned further back from the street scene and the proposed development of a further two dwellings (two already approved) would not materially alter the character of the streetscene.</p> <p>Through the formulation of the LDF consultations took place in regards to village envelopes (issues and options issues 3) however this is no further forward and the village insert maps contained within the adopted local plan are still relevant. The NPPF introduces the requirement for development proposals to accord with Neighbourhood Plans and Local Plans. Long Clawson has not come forward (to date) to create a Neighbourhood Plan therefore development proposals will need to accord with the Local Plan.</p> <p>Recent developments within Long Clawson have been within the village envelope.</p> <p>The Core Strategy Publication DPD considers Long Clawson to be a sustainable village due to the number of services available and infill development is anticipated to take place within the village envelope.</p> <p>Each application must be adjudged on its merits and it is considered that this proposal is in conflict with policy OS2.</p>
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<ul style="list-style-type: none"> • Development outside of the village envelope is not precedent in this village 	
<p>Highway Safety:-</p> <ul style="list-style-type: none"> • Increase traffic flows on a rural lane • Inadequate parking for visitors, access road too narrow to accommodate parking, access on Church Lane is on a dangerous bend where parking would be dangerous • Parking overspill onto Church Lane would be dangerous and cause hazards • Access is on a dangerous bend • There have been many accidents witnessed on this road • Church Lane is already congested with parked cars • Already 4 access points off this part of Church Lane – more traffic will create dangers • Church Lane is used as a rat run during busy periods to cut out the Sands • More traffic will affect pedestrian safety particular school children • Can the required access width be achieved? • Insufficient space to have a footpath, emergency vehicles to use with safety • Recently planning permission has been granted for small commercial units at Bakers Farm the network will not cope for more ad hoc developments. 	<p>Access to the site would be utilised from the existing field entrance off Church Lane and is the only matter for consideration within this outline planning proposal. Following consultation with the Highways Authority an amended plan has been submitted to show that the access can be widened to 5 metres with 0.5 metre margin either side for the first 10 metres from the highway boundary. The required visibility splays can be met from the entrance which is situated within the bend on Church Lane.</p> <p>The indicative layout shows that the required number of parking spaces can be provided within the site however this could be subject to change and a condition would be required to be imposed. The local residents in the area have stated that the lane is congested and parking is an issue. However the Highways Authority have raised no objection to the proposal.</p> <p>The public footpath is to share the access drive and run along the eastern boundary of the development adjacent to the existing ditch and hedge. No objection has been received by the Rights of Way Officer subject to the imposing of conditions which stipulated that the footpath is not segregated from the access, appropriate surfacing and no gates blocking the path except the field entrance for the purpose of stock control. A diversion order would be required if planning permission is granted.</p> <p>No objection has been received by the Highways Authority. It is considered that the proposal for four dwellings would not have a material increase in traffic movement and a reason for refusal on traffic grounds could not be justified.</p>
<p>The Ramblers Association:- Object</p> <ul style="list-style-type: none"> • The footpath would have to be diverted before any application could be considered by the association. • The footpath would need to be diverted before ANY site work commenced, not like other development work in the past. • I will be objecting to any application to divert the path due to the extended length of the new route, the totally unacceptable situation of users of the path being forced between a house and a hedge instead of open pasture and the fact that users of the path would also have to walk down a 	<p>Noted. Please see Rights of Way comments above. The footpath currently runs diagonally through the paddock and is 'open'. Should planning permission be granted a footpath diversion order will be required and would be subject to further public consultation.</p> <p>The NPPF seeks to ensure that planning policies protect and enhance public rights of way and access. Local authorities are advised to seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails. Footpath G32 links to G41 and G42 giving walkers access into the countryside. It is</p>

<p>“private access drive” past a “bin collection point. These matters would affect the public enjoyment of using the footpath.</p>	<p>considered that from the indicative layout the footpath will lose its open characteristics and will be more formalised with hard surfacing, fencing and hedging to separate from the residential uses. It is not considered to enhance the network of footpaths however the proposal seeks consent for the access to the site only and not for the diverting of the footpath. Although the plan is indicative and an alternative configuration could be developed, it is considered that the character (and users experience) of the part of the footpath running through the site will be adversely affected as it will inevitably cross through an area that will be developed rather than in its current open form.</p>
<p>Impact upon open countryside:</p> <ul style="list-style-type: none"> • The development would remove the popular footpath • Footpath is well used and would need diverting • The footpath was already diverted to allow the development to the west to go ahead this would be a 2nd move • There is no guarantee that the landscaping will be implemented if approved and the development would create an oppressive environment for the footpath users getting access to the open countryside • Loss of open space when viewed from Church Lane – this is the only view left • The development would obstruct the view of the open countryside from Church Lane which is a Conservation Area it will be visually intrusive • Development would cut into the green field site. 	<p>The footpath would be required to be diverted and according to the indicative layout for the proposal would be diverted around the development to the west. The footpath would be less open, however it will continue to provide access to the open countryside. There is no limit on how many times a footpath can be diverted and this is subject to separate application and will be considered on its own merits. However it is considered that the footpath will be significantly adversely affected by being routed through a residential development (see above).</p> <p>The land to the south of the site sits higher than the application site which affords public views out to the open countryside over the existing properties and the gap which is the field access. Should development be permitted this view would be obstructed and will lead to a double row of houses, creating back land development. The NPPF states that new development proposals should contribute to enhancing the historic environment giving weight to the significance of the heritage asset.</p> <p>The application site lies outside of the village envelope on a Greenfield site. The impact of this needs to be considered within the context of the presumption in favour of sustainable development.</p>
<p>Out of Keeping with the character of the area:-</p> <ul style="list-style-type: none"> • Its backland development out of keeping with the linear form of Long Clawson • The backland development will be visually intrusive from the public road and will have a serious impact upon the Conservation 	<p>Back land development is a feature of the village; Bakers Field to the east of the application site sits to the rear of Church Lane however it does not encroach further into the countryside than the application site given the winding nature of Church Lane and the street comprises single storey dwellings that sit on lower land levels than</p>

<p>Area</p> <ul style="list-style-type: none"> • The development will present a block of brick and tiles which would block the view of the countryside which would have a detrimental impact upon the streetscene and conservation area. • Development would extend the village boundary – its ‘Long’ Clawson for a reason. • The proposal will further erode the linear form of the village • Over-intensive development out of keeping with rural lane • 10 new dwellings have been built along this part of Church Lane in the past 5 years more development would seriously affect the rural character of the area close to the church and Conservation Area. • The development appears cramped and would be out of keeping with the rural character of the village • The access is within a Conservation Area the hard surfacing will be detrimental to the designation • Promised landscaping for the development to the west never happened – no faith in it being done here if approved. 	<p>the properties fronting Church Lane. That arrangement has less impact upon the character of the area and is well integrated into the Church Lane through having a formal highway junction with pathways either side to improve connectivity. Glebe Road; to the east of the application site is also a form of back land development however it has a wider access, making the development more visible within the streetscene and continues the building line around that part of Church Lane. Both Glebe Road and Bakers Field are considered to have a modest impact upon the character of the area whereas the proposed development would close off an open area which currently contributes to the rural character and pleasant appearance of the lane. It is considered that the continuation of development behind nos. 56-60 Church Lane would urbanise this part of the village which is not considered to be in keeping with the local distinctiveness of this part of the village.</p> <p>Materials relating to surfaces could be conditioned to ensure that an appropriate finish so as not to have a negative impact upon the Conservation Area.</p> <p>Landscaping would be a matter for consideration at a reserved matters application and would form a condition to the development. Failure to comply could result in enforcement action.</p>
<p>Impact upon Neighbouring properties:-</p> <ul style="list-style-type: none"> • The development proposes backland development which would have serious impact upon nos. 56-60 Church Lane • Loss of privacy, outlook and amenity to occupiers of 56-60 Church Lane • The use of gravel on the drive and parking area should not be allowed which would create noise issues to neighbouring dwellings either side of the access • Visually intrusive 	<p>The layout is for illustrative purposes only and would be subject to further consideration. The dwellings are shown to the rear of nos. 56-60 Church Lane running in one continual row side on to no. 4 Glebe Close. Plot 1 is shown as a similar footprint to no. 4 Glebe Close and would be positioned within 2 metres of that dwelling. No. 4 Glebe Close has windows contained within this facing elevation and development in this manner would not accord to the Council’s separation standards and could create an un-neighbourly environment and have an overbearing impact.</p> <p>Nos. 56 – 60 front Church Lane and follow the shape of the highway which increases the separation distances from the proposed dwellings which sit in a row.</p> <p>The indicative layout demonstrates that an arrangement is feasible which would not have a detrimental impact upon residential amenities of these properties and overlooking of no.4 Glebe Close could also be avoided through design and layout adjustments at ‘reserved matters’ stage</p>

<p>Affordable Housing:-</p> <ul style="list-style-type: none"> • The large detached property would not be affordable and doubt that the smaller ones would be too in this location. • The houses would be market housing and not affordable housing which is needed • Due to high prices local people in need are priced out. New residents will be commuters and will not contribute to the village way of life 	<p>The development proposes 4 dwellings with a suggested mix of 1 no. four/five bed dwelling, 2 no. two bed semi detached dwellings and 1 no. three bed dormer bungalow. The mix generally meets the identified local need housing in this location.</p> <p>The dwellings will be offered at market value and will not meet an affordable need and as such it is considered cannot attract weight in support for this consideration.</p>
<p>Sustainable Development:-</p> <ul style="list-style-type: none"> • Not a brownfield site – not environmentally sustainable. • Services in Long Clawson cannot cope with demand due to the amount of growth the village has seen over recent years – school is over subscribed, Doctors have long waiting lists. More residents will push people to use the car more to get access to services. • The continuing degradation of Melton’s bus service means that more cars will be used which goes against sustainable development 	<p>The NPPF supports sustainable development and advises that there are three dimensions to sustainable development those being :-</p> <p>an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;</p> <p>a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and</p> <p>an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.</p> <p>Whilst the development could help to support the economic role there are considered to be limited benefits to be gained by the local community. The large 4/5 bed property is not required to meet identified local need. The services in the village are sufficient to meet the existing community’s need however it is known that the primary school is almost at capacity, furthermore the site is Greenfield and has a higher environment value than a brownfield site.</p> <p>The NPPF advises that the planning system should contribute to enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the wider benefits of ecosystem services, minimising impact on biodiversity and to provide net gains to</p>

	biodiversity. It is known that there are protected species in the vicinity and mitigation measures are required in order to safeguard and protect them from the development and are not seen as a constraint for developing the site
<p>Impact upon Ecology:-</p> <ul style="list-style-type: none"> • Great Crested Newts are known to be in the pond to the rear of the paddock • It is noted that the ditch along the west is to be culverted and the hedge relaid this would have serious impact upon the wildlife corridor. • The proposal destroys a greenfield site, and is ecologically detrimental to the biodiversity of the area affecting both the green corridor and aquatic corridor on the site. • The submitted report under estimates the value of the site for wildlife. There are at least two different types of newts that habitat in the ponds and use the site for foraging. Grass snakes, badgers, bats, water vole, 7 species of dragon flies, many species of butterflies and many varieties of birds have been found in the area. • The development would destroy the habitat of the wildlife • No information on SUDs and how surface water run of will be accommodated from the access drives. Possible contaminants could run in to the ditch on the western boundary which would have a serious impact upon nature conservation 	<p>The submitted report has identified the existence of Great Crested Newts and a further survey of pond 2 has been requested in order to establish if GCNs are still present and to ensure the appropriate level of mitigation is put in place as the original survey may too onerous .</p> <p>To the west of the site is a field ditch which is said to contain wild life. The field is used for the keeping of horses and has a public footpath running diagonally through the site with an interrupted open countryside beyond. The pond lies within 100 metres of the site and an up to date newt survey has been requested but no other surveys have been deemed necessary.</p> <p>The application is for the approval of the access only with all other matters reserved for later consideration. The site is a greenfield site and therefore would have to accommodate an appropriate run of rate the same as the greenfield run of rate (this could be secured through the use of conditions). A large swale is shown on the indicative layout to be positioned to the rear which would allow surface water to drain into and has been proposed as an ecological enhancement area to the site. However matters are not for consideration at this time and have not been included within the application site.</p> <p>Driveway surfaces would also form part of the landscaping schemes which would be submitted for consideration at reserved matters stage should the outline consent be granted.</p>
<p>Other Matters:-</p> <ul style="list-style-type: none"> • Devalue existing properties that benefit from open view to rear aspect • The ditch along the eastern boundary is not in their ownership and permission will not be granted to fill the ditch. 	<p>Noted. Not a material planning consideration.</p> <p>Noted. The amended plan removes the ditch from the application site.</p>

<ul style="list-style-type: none"> • No proven need that the houses are needed there are plenty still for sale in the village. • The 'village' community is being lost due unplanned growth – no social cohesion. • Long Clawson has been named as a service centre (LDF CS) but many of the services have been closed since. The infrastructure can not cope with more development. The local school is over supplied. • Lack of policing more growth could/will have an impact upon crime • 2 different site areas have been calculated this has cost implications on the Council in attracting Affordable Housing contributions in line with Core Strategy • The application should not be in outline as all matters are important to the village setting • The applicant and designers need to comply with CDM2007 	<p>The Housing needs study has identified that in the rural west which includes Long Clawson that there is a surplus of the large executive dwellings and shortfall of smaller 2/3 bed properties. Three of the properties proposed would go some way to meeting that shortfall however the large dwelling is not required.</p> <p>Long Clawson is one of the larger villages in the Borough and one that has been considered appropriate to receive more growth however that must be balanced against other considerations, as required by law and advised in the NPPF.</p> <p>Long Clawson is considered sustainable and suitable for infill development within the built form. Rural and town bus services are under utilised which has seen a decline in the service offered. The current economic climate has also contributed to the loss of services however the NPPF seeks to safeguard existing services and supports growth in the right locations. The village still has many services such as shops, pubs, cafes, surgeries, school, halls and employment which maintains the villages sustainability.</p> <p>There are two site areas quoted in the application and this is due to the site area being drawn around the planned development rather than the whole site. This is not uncommon particularly when an applicant owns surrounding land which is the case in this instance.</p> <p>The Government has not removed outline applications from the planning process, instead they introduced the need to submitted a Design and Access Statement to justify the proposal so that matters relating to scale and layout of a proposal could be adjudged against impacts a development may have on an area. It is considered that there has been sufficient information submitted although it is indicative at this stage and could be subject to change.</p> <p>Not a matter for planning consideration.</p>
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Conclusion

The proposal relates to residential development of a site lying outside of the village envelope on a greenfield site. Whilst the application is in outline form with matters relating to the access being submitted, the main consideration is the principle of development on this site.

The development would sit alongside a housing development to the west (Glebe Close) and would appear as a continuation of that development when viewed from the open countryside to the rear of the site. However the development would be physically separated from that development and would have its own access from Church Lane between existing properties fronting Church Lane. The Highways Authority are satisfied that the access would not have a detrimental impact upon highway safety and have not objected to the proposal subject to conditions.

The site, in contrast to that to the west, is outside of the village envelope on a greenfield site where there is no presumption in favour of market housing proposals in Development Plan policy. The suggested mix of dwellings broadly reflects the need identified in the Borough's housing needs evidence.

The NPPF advocates the need to develop brownfield site and provide enhancements to the natural and historic environment of which this proposal is considered to do neither.

As stated above, it is considered that Local Plan policy OS2 retains relevance due to the extent to which it reflects the content of the NPPF and the advice of the later is that in such circumstances the decision should follow the Development Plan. **The proposal is clearly contrary to Policy OS2 and on this basis the NPPF advises that it should be refused.**

In circumstances where the Development Plan is considered to be out of date, and/or if the Borough is deemed not to have an up to date 5 year housing land supply + 5%, decisions on housing are required to be made within the context of the presumption in favour of sustainable development. This means that developments should be approved unless adverse impacts significantly outweigh the benefits of the proposal, assessed under the terms of the NPPF

The proposal would see the development of a greenfield site which does not amount to sustainable development identified within the NPPF (i.e. it is not a brownfield site). Whilst the housing would make a contribution towards identified local needs, it is not affordable housing. The development would be visually intrusive from both the approach from the east of Church Lane and harmful to the public footpath which is to be diverted and segregated around the development and whose character would be detrimentally affected. Accordingly, it is considered that the proposal performs poorly in terms of the economic, social and environmental aspects of sustainable development.

On this basis it is considered that upon assessment under the NPPF, the proposal has limited benefits but would have significant adverse impacts which outweigh them. Accordingly, under the provisions applied by the NPPF it is considered that the benefits are outweighed and permission should therefore be refused.

RECOMMENDATION:- Refuse:-

This is a greenfield site which lies outside of the village envelope within the countryside. Development in this location represents an unacceptable encroachment in to the countryside as the proposal is not one of the types of development permitted within the countryside by Policy OS2 of the Adopted Melton Local Plan. It would also have a harmful impact on the character and appearance of the area and upon the footpath that crosses the site, and is considered to perform poorly in terms of sustainable development roles set out in the NPPF. Accordingly, there are insufficient other material considerations justification for allowing the development contrary to the development plan.

Officer to contact: Mrs Denise Knipe

Date: 11.05.12