

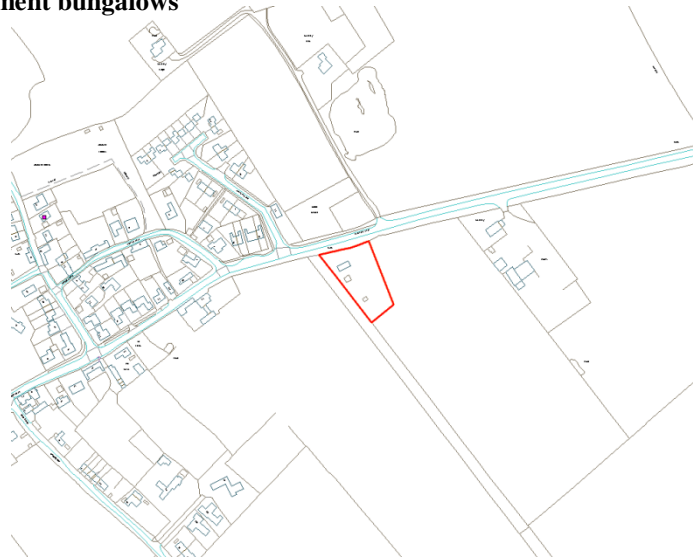
**Reference:** 12/00806/FUL

**Date submitted:** 02.12.2012

**Applicant:** Mr And Mrs D Biggadike

**Location:** Old Dairy Buildings, Stathern Lane, Harby

**Proposal:** Clearance of site including demolition of existing redundant farm buildings, erection of five retirement bungalows



**Proposal :-**

**This application relates to full planning permission for development of a ‘Retirement Village consisting of 5 single storey dwellings on land outside of the village envelope for Harby. The proposed development contains a mix of 2 and 3 bed bungalows with the larger proposed to be occupied by the applicants. Access to the site will be from Stathern Lane adjacent the byway and within the 30mph speed limit, however there is no street lighting outside of the site. The site is currently occupied by a mix of rural buildings some in a perilous state and the site has become very over grown with a tall boundary hedge along Stathern Lane and the byway screening the site from view.**

**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:-**

84/00097/FUL – Application refused for the conversion of building to form a single dwelling.  
84/00718/FUL – 2<sup>nd</sup> Application refused for the conversion of building to form a single dwelling.  
88/00442/FUL – Planning permission granted for the change of use of redundant farm building to light industrial use. Restricted to storage of empty vegetable oil contains and parking of one HGV and two vans and for no other purpose within that use class order.

## 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 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.

### 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.

**Policy 39** sets out the Regional priorities for energy reduction and efficiency and states that Local Authorities should promote a reduction of energy usage in line with the ‘energy hierarchy’ and develop policies and proposals to secure a reduction in the need for energy through the location of development, site layout and building design.

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

The Core Strategy has been published and examination by the Secretary of State is in progress. The Core Strategy 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.

**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.

**Policy CS13: Countryside** – seeks to protect the rural environment by requiring development to be of a high standard which respects the character of its location; surroundings, and setting. The form and appearance of development should reinforce its sense of place and take into account the Melton Landscape Character Assessment.

**CS22 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.

**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 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**

- Maintain a five year land supply of deliverable sites with a further 5% headroom.
- 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
- Provide rural exception sites on the edge of rural villages to meet local affordable housing needs. Some market housing should be considered if it brought significant additional affordable housing to the area.

**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.

**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)

**Consultations:-**

<b>Consultation reply</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Housing Policy – Objects</b></p> <p>The National Planning Policy Framework (NPPF) recognises that housing should meet the needs of present and future generations (Para 10). The NPPF</p>	<p>The application site currently contains redundant farm buildings. Planning permission for conversion to residential use has been refused in 1984 whilst in 1989 planning permission was granted to allow the building to be used for</p>

continues to recognise the importance for local planning authorities to understand the housing requirements of their area (Para 28) by ensuring that the scale and mix of housing meets the needs of the local population. This is further expanded in Para 110 – 113, which follows the principle of PPS3; in seeking to ensure that housing mix meets local housing need.

Within the Rural North of Melton Borough the study indicated that there is a strong need for smaller market housing such as 2 bedroom houses and older people/downsizing accommodation and a surplus of larger family accommodation. There are limited opportunities within village envelopes for significant new residential developments and therefore residential developments in the area should contribute towards the creation of a mixed community and have regard to local market housing needs.

**This proposal seeks planning permission for the clearance of redundant farm buildings and 5 new build, open market, retirement bungalows, in the village of Harby. The site is located on the edge of the village; on land which lies outside the village envelope. The proposal comprises of five bungalows, with unit mix as follows, 4 x 2Bed Bungalows and 1 x 3Bed Bungalow. The proposal offers suitable smaller accommodation in the form of two and three bed bungalows.**

The site itself is not ideally situated for a ‘Retirement Village’; it lies to the eastern edge of the village, some distance from the centre of the village and its local services. Such a development would be contrary to the National Planning Policy Framework (NPPF), which states that we should seek to deliver sustainable, inclusive and mixed communities through housing provision (NPPF Page 13, Point 50). Furthermore our evidence states that ‘Retirement Villages’ *“should be developed adjacent to or within existing community settings rather than on the edge of settlements, the latter only emphasizing the separation of older people from the rest of the community”* (Older Person Housing Aspirations Study 2010 Page 27).

**Taking all of these points into consideration, there is no evidenced need for a ‘Retirement Village’. The proposal for a ‘Retirement Village’ does not meet national or local planning policy since it would lead to an isolated and segregated development. For these reasons, the application should be refused, with a reason for refusal being the failure to meet housing need.**

storage of empty vegetable oil containers. At present the site is not in use and is over grown with the buildings falling into disrepair. Whilst the site could be considered as brownfield it lies outside of the village envelope for Harby, separated from the built form by a parcel of land to the west, essentially within the designated open countryside. Development of this site could only be supported providing it complied with the provisions of local plan policy OS2 and H8 (rural exception site for Affordable Housing) or if there were other material considerations which weighed in favour of allowing the development to proceed in this location. It is not considered that these policies are rendered out of date by the NPPF or the land supply position.

The applicant has provided a statement in support of the proposal for a retirement village consisting of 5 bungalows.

- It will provide a much needed house type for the residents in the Parish of Harby, Hose and Long Clawson, freeing up larger housing in the villages for families to upsize.
- It will be restricted to over 55’s
- The units will be built to Life Time Homes (to assist with elderly living and specialised equipment)
- The development will be built to comply with Sustainable Codes for Homes Level 3 (which seeks a 25% reduction in CO<sup>2</sup> emissions; over and above current building regulations, alongside an improvement in sound insulation between dwellings)
- There is local support for the proposal
- The development benefits NPPF advice as an exception site.

**The Borough’s Housing needs study identifies that within the rural north there is a need for smaller properties. Bungalows have been identified as being in short supply.** Whilst the property types do meet an identified need the studies have not identified a particular need for a ‘Retirement Village’. A retirement village in this location is not supported by the Housing Policy Officer as it is some distance from the services within the village and could lead to segregation for the elderly residents.

The applicants consider that this proposal should be assessed as a rural exception, quoting the

	<p>glossary of the NPPF, in that some market housing provisions could be allowed to bring forward affordable dwellings to meet the local need. It is not considered that the proposal meets the criteria as a rural exception site as it only contains a single affordable unit. NPPF paragraph 53 advises that in rural areas Authorities should be responsive to local circumstances and plan for housing to reflect local need, particular affordable housing, including through rural exception sites where appropriate. It advises that in achieving affordable housing that some market housing should be considered if it brought <b>significant</b> (officers emphasis) additional affordable housing to the area.</p> <p>The proposal is for 5 units with one of the units now being offered as an affordable dwelling. No Registered Provider has been identified at this stage. It is stated that as the units would be meeting local need, being bungalows, that it should be supported and has the local support of the residents. The applicants have advised that consultation has taken place with residents of retirement age who use the village services in which this proposal would be of some benefit to. As the proposal is for five units there is no formal requirement for the applicant to undertake a full public consultation. In the application as submitted there was no provision of affordable housing and the applicants were asked if they would consider incorporating 1 or 2 units as affordable housing to assist with enhancing the benefits of the proposal outside of the village envelope and fulfilling the exception site definition they have cited. They have since offered one of the units to meet the affordable housing provision which goes some way in addressing the rural exception policy. The affordable house could be secured by a condition.</p> <p>The benefits of allowing the proposal is required to be balanced against the development plan polices, and the NPPF. Whilst the development could provide a needed house type and could be built to Life Time Homes and Codes for Sustainable Homes Level 3 it was considered that without any affordable housing there is no policy support to allow the proposal to be built outside of the village envelope. There is now the offer of one unit to meet the provision for affordable housing. Whilst it has been stated within the applicant's submission that the proposal would free up homes in the village, putting forward this argument in favour of allowing the development, they are reluctant to have the development</p>
--	--

	<p>restricted to local occupancy only. The applicant has responded stating that the same precedent should be set, if this is to be imposed, on other privately funded development sites. However they have agreed to have clauses written in to the conveyance deeds as follows: 'the proposed properties should be marketed primarily to local residents reaching the retirement age of 55'. A s106 Agreement would be required to secure this provision.</p> <p>It is considered that whilst the application brings forward benefits in terms of the provision of a house type for which there is an identified need and now the offer of one of the units as affordable housing, these need to be balanced against other considerations. The benefits in allowing the proposal of open market housing ,with the provision of one affordable unit, on a site outside of the village envelope is not within the spirit or scope of the NPPF para. 53 which advises that in providing rural exception sites some market housing should be accepted if it facilitated <b>significant</b> provisions of affordable housing. Whilst one unit is proposed it is not known how this will be managed as there is no Registered Provider involved and this needs conformation on deliverability. If the development proposal were to truly benefit the 'local' residents as promoted within the application it would be more favourable to secure the occupation to the Parish so that it will facilitate the 'freeing up' of the family dwellings within the Parish as promoted by the applicant.</p>
<p><b>MBC Environment Health - No objection</b></p> <p>Suggest a condition is attached to the effect that the clearance of the site prior to the commencement of construction is not allowed to give rise to any nuisance of smoke from bonfires.</p> <p>Regards to the potential for soil contamination as a consequence of the former use of the site. Although it is not clear from the Design and Access Statement, the site does not appear to have been part of a farm yard. A condition should be attached to the effect that a Walk-Over Survey and Desk Top Study be undertaken in respect of the site and if it is considered necessary as a result intrusive investigations and laboratory analysis of samples are undertaken. If contaminated material is found a scheme for its remediation be proposed, implemented and verified.</p> <p>Should soil be brought onto the site, proof of its</p>	<p>Noted.</p>

<p>suitability for use must be provided.</p>	
<p><b>Highways Authority:</b> No objections subject to imposing conditions relating to:-</p> <ul style="list-style-type: none"> <li>• any gates being set back a distance of 5 metres from the highway</li> <li>• gradient of the drive not exceeding 1.2</li> <li>• drainage</li> <li>• turning in site provided and hard surfaced</li> <li>• car parking and private turning provided</li> <li>• surfacing, hard bound or similar</li> <li>• access minimum width of 4.25 metres</li> <li>• pedestrian crossing provided</li> <li>• highway kept clear of mud during construction</li> <li>• construction vehicles parked within the site</li> </ul>	<p>It is proposed to widen the existing access into the site which is adjacent a public byway; G55a, which is open to all traffic. There would be a private drive serving the 5 units and the Highways Authority have no objections to the proposal from a highway safety view point, subject to the developers installing a pedestrian crossing from the site to gain access to the footway opposite. There is not a footway on the southern side of the highway but the site is within the 30 mph zone with this stretch of the road being un lit.</p> <p><b>It is considered that the site is capable of complying with the Highways suggested conditions and a reason for refusal could not be justified in this instance providing the pedestrian crossing is installed.</b></p>
<p><b>Public Rights of Way:</b> No objection subject to confirmation that the ditch running along the western boundary is retained along with the Hawthorne hedging and that no additional fencing will be erected.</p> <p>If the proposal receives permission, the developer should note that access to the byway must be kept clear at all times during the construction period and any alterations affecting it would require separate permission from this authority.</p>	<p>Noted. The mature hedge and ditch is to remain unaffected by the proposal.</p>
<p><b>LCC Ecology:-</b> No objection</p> <p>The ecology report submitted in support of this application (B J Collins, December 2012) is satisfactory. No protected species were identified. However, they would recommend that a note to applicant is added to any permission granted to draw the applicants' attention to the recommendations in the report.</p> <p>The existing hedgerow to the west of the application site has previously been identified as being of local ecological importance. It is therefore requested that this is protected throughout the development.</p>	<p>Noted. A condition would be imposed to retain and protect the existing hedgerows.</p> <p>The site is currently overgrown with the buildings on the site having potential for protected species to occupy. The survey carried out has not identified that there are any protected species on the site however it is recommended that site clearance works takes place between the beginning of September to the end of February and a watching brief be carried out.</p> <p>Should protected species be found works should cease and further advise sought.</p>
<p><b>Parish Council:</b> Supports</p> <p>The Parish Council fully supports this application as it will meet the need for retirement dwellings, which does not currently exist in Harby, as outlined in the Melton Local Development Framework.</p> <p>The application site is sustainable as it is on a bus route. Therefore, access to the only shop/Post Office in the village is possible.</p>	<p>The proposal seeks consent for five bungalows to be sold on the open market, with the exception of one unit should it be accepted by a Registered Provider, on a site that lies outside of the village envelope for Harby in the open countryside. Whilst there is a need for the type of house types proposed there is no local need for a 'retirement village'. This type of development does not support sustainable mixed communities and could lead to polarisation of a vulnerable age group. Furthermore the site is separated from the village</p>



<p>The Parish Council hoped that a Housing Association would be able to use the land for this type of housing but, as this has not happened, is fully supportive of this private initiative.</p> <p>The Parish Council should like to suggest that instead of bargeboards and soffits on the dwellings, corbelling should be used, with the gutters attached to that.</p>	<p>by a parcel of land, on an unlit stretch of road and surrounded by open countryside with the residents more vulnerable to rural crime. There is also no footway along the southern boundary of the highway and the Highways Authority has requested that a pedestrian crossing be provided to assist with connectivity to the village. The centre of the village is some distance and accessing these services may prove difficult for some elderly residents.</p> <p>This part of the village, along with other sites within Harby, have been investigated for the potential as a rural exception site by a Registered Provider to assist with meeting the affordable housing requirements of the village. This part of the village was discounted because of the lack of footpath to provide the connectivity to the main centre of the village and the costs to provide a footway and lighting.</p> <p>Noted. A condition could be imposed should the proposal be approved.</p>
---	---

**Representations:**

A site notice and press notice was posted and neighbouring properties consulted. As a result 8 letters of **support** from 8 separate households have been received to date; 2 letters of objection has been received to date.

<b>Representation</b>	<b>Assessment of Head of Regulatory Services</b>
<p>There is a shortage of bungalows in the village of Harby</p> <p>The new development will provide much needed housing for current residents of Harby who wish to downsize, which will free up larger family sized homes for new residents, which will keep the village alive</p> <p>It will allow elderly residents to stay in the village instead of moving to other areas for suitable accommodation</p> <p>The accommodation is designed to be wheel chair friendly</p> <p>It will improve the appearance of the site which for the 10 years we have lived here has been an eyesore</p> <p>The buildings are derelict and dangerous and the redevelopment will tidy up the area</p>	<p>Noted. Please see above comments in relation to Housing Policy.</p> <p>The site currently stands derelict and overgrown however it is not a reason to grant consent for housing development that is contrary to the development plan. Alternative uses for the site could be explored which could receive policy support, such as some light commercial uses.</p>

<p>It is placed on a main road with access to bus services directly outside the door</p> <p>It provides sufficient parking for residents and visitors</p> <p>It will have no adverse effects on any surrounding properties or the environment</p> <p>The bungalows will be constructed to sustainable standards</p> <p>It is in keeping with the village environment</p> <p>It has been designed to sympathetic to the historic use of the farm.</p> <p>Development, whilst outside of the village will be sensitive to its location</p>	<p>No official bus stop was noted outside the site however the applicant has advised that the buses do stop in this location.</p> <p>No objection has been received by the Highways Authority.</p> <p>As the site stands alone it is not envisaged that it would have an adverse impact upon neighbouring properties. The site is not well connected to the services in the centre of the village and this could lead to private car use to access those services. The NPPF seeks to support sustainable development and seeks to reduce reliance on the private car and advises to promote housing within existing settlements. Whilst a bus service is in operation it would be a resident's choice to use it because of the type of development proposed it is not considered that this is a suitable location for a retirement village.</p> <p>The proposal has been designed in a courtyard arrangement which is reflective of a farm house and yard arrangement which is acceptable. .</p>
<p><b>Objection</b></p> <p>The application claims consultation was carried out but residents are not aware of it</p> <p>Why would we want to house elderly and vulnerable people outside of the village envelope, on the fringes of the open countryside in a vulnerable position and away from the community and amenities that are currently the other side of the village.</p> <p>Those less able or infirm would struggle more, being isolated and away from the village services and are also more likely to rely on the car than struggle the half a mile across the village in cold and wet conditions.</p> <p>Such development would not be inclusive but segregation from others, including neighbourhood</p>	<p>The applicants have advised that the consultation exercise, whilst not extensive, consisted of people of retirement age that would benefit from the scheme should it be allowed. There was no requirement for the applicant to undertake a full public consultation exercise due to the small scale development proposal. The application has been available on the Council's website and a site notice was placed at the entrance to the site in accordance with the Consultation Strategy. The Parish Council has been notified in the interest of the wider public.</p> <p>The location is detached from the main centre of the village and within an unlit area. The Council has not identified a need for a 'Retirement Village' in the Borough.</p> <p>The development would consist of five units and would therefore have limited support from</p>

<p>watch and those that actively look out for their elderly neighbours in times of difficulty.</p> <p>This may be a good scheme but therefore needs a good location with a full, local village, open consultation when contrary to Local Plan Policy and in the absence of a neighbourhood plan.</p>	<p>existing residents. The proposal whilst providing bungalows design to Life Time Homes and Codes for Sustainable Homes would not meet the definition of mixed or sustainable communities and could lead to polarisation of a vulnerable group.</p> <p>The application has been subject to consultation in line with the Consultation Strategy. The neighbourhood plan process would allow for sites such as this to be brought forward for development to meet the local need for the area. The Parish of Harby has not been identified as a parish seeking to write a Neighbourhood Plan at present.</p>
--	---

**Considerations not raised through Representations.**

<b>Representation</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Application of Development Plan and National Policy</b></p>	<p>The NPPF seeks to boost housing growth with a presumption in favour of sustainable development whilst making efficient use of brownfield land. It also emphasises the need to provide housing to meet local needs and promotes design as a key factor for connection of people and places. It seeks to ensure that housing is built in appropriate locations emphasising the need to direct growth within existing settlements. In supporting rural housing needs provisions are made for sites that lie outside of settlements for provisions of Affordable Housing termed rural exception sites.</p> <p>The application needs to be considered in terms of the Development Plan as a whole and the NPPF is required to be balanced against the need for Local Planning Authorities to support the delivery of housing in sustainable locations. It is considered that the NPPF is not in conflict with the local plan policies which seek to provide housing within existing settlements to promote sustainable development.</p> <p>Paragraph 14 of the NPPF requires that where a local plan is out of date permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits, judged by the content of NPPF. It is considered that Policy OS2 remains compatible with the NPPF and should not be regarded as out of date.</p> <p>Development of this site could only be supported providing it complied with the provisions of local plan policy OS2 and H8 by providing a rural exception site for Affordable Housing or if there were other material considerations which weighed</p>

	<p>in favour of allowing the development to proceed in this location.</p> <p>The benefits are considered to be the provision of a needed house type (bungalows), built to Life Time Homes and Codes for Sustainable Homes Level 3. However, this will need to be balanced against the policy which presumes against development in this location (Policy OS2) and requires it to be affordable housing if it is to be treated as an exception (Policy H8). It is acknowledged that the offer of one unit goes some way to meeting the policy requirements, however, because of the limited number it would be difficult to attract a registered provider to manage it and the offer may not materialise and be lost.</p> <p>A 'Retirement village' has not been identified as being needed in this part of the Borough and it is considered that the site is detached from the settlement. Whilst presenting an opportunity for a house type for which demand exists, the application represents development in the open countryside that is considered to be contrary to the provisions of the Development Plan and relevant parts of the NPPF.</p>
<p><b>Impact Upon the Character of the Countryside</b></p>	<p>The site lies in the open countryside with the boundaries of the site to the north and west defined by hedging and a post and rail fence to the east and south. It is intended to retain the hedging with the eastern and southern boundaries forming the boundary of the private amenity area defined by a 1200mm post and rail fence. Conditions can be imposed to ensure that appropriate boundary treatment and landscaping be provide to ensure compatibility with the countryside location.</p> <p>The dwellings are designed to be single storey and to be constructed from facing rustic red brick with a natural slate roof covering which is an acceptable material for this location. The dwellings will be arranged in a courtyard style maximising views out into the open countryside. Access to the site is via Stathern Lane and parking and turning areas are provided within the site for each dwelling.</p> <p>It is considered that the development has been designed to be sensitive to its countryside location and will therefore not have a detrimental impact upon the countryside.</p>
<p><b>Impact Upon Residential Amenities</b></p>	<p>The site lies separated from the existing residential area of the village and therefore no adverse impact is expected due to the separation distances and screening of the site from the west.</p>
<p><b>Sustainable Development</b></p> <p>The Code for Sustainable Homes is an</p>	<p>The development is offered to be built to comply with level 3 of Codes for Sustainable Homes. Sustainable Code level 3 ensures that the</p>

<p>environmental assessment method for rating and certifying the performance of new homes. It is a national standard for use in the design and construction of new homes with a view to encouraging continuous improvement in sustainable home building. The Code for sustainable homes covers nine categories of sustainable design including:</p> <ul style="list-style-type: none"> <li>• Energy and CO2 Emissions</li> <li>• Water</li> <li>• Materials</li> <li>• Surface Water Run-off</li> <li>• Waste</li> <li>• Pollution</li> <li>• Heath and Wellbeing</li> </ul>	<p>development is constructed to a higher standard. Ensure that there will be a 25% reduction in CO<sup>2</sup> emissions; over and above current building regulations, alongside an improvement in sound insulation between dwellings. It has also been stated that the site would have rain water harvesting for grey water provided to low level wc flush systems. Photovoltaic and solar thermal panels are installed on the roofs to generate electricity and provide hot water for each unit. This sustainable technology in turn increases the sustainable credentials of the development which need to be balanced against its location being outside of the village settlement.</p> <p>The Development Plan and NPPF seeks to support housing growth in meeting sustainable development this is defined as meeting environment, social and economic strands. These elements need to be taken as a whole and it is not considered that the location outside of the existing settlement can be supported as there are limited social gains. The house types are needed but would be best served within the village settlement not on the outskirts. Without the provisions of significant affordable housing the site can not be considered as an exception site and the Borough has no identified need for a ‘retirement village’. The development would not create a sustainable community as it only meets a single demographic and does not allow the opportunity of a mixed community to provide a support network.</p>
--	---

**Conclusion**

The proposal seeks consent for a small ‘retirement village’ comprising of 5 no. two and three bedroom bungalows outside of the village envelope for Harby. The scheme is considered to have a number of positive features which include the properties being built to Life Time Homes and they would have higher sustainable credentials than current building regulations in order to assist with offsetting CO2. Whilst the property types would go towards addressing a shortfall within the Borough, the provision of one affordable dwelling is in doubt as no Registered Provider has been identified and there are uncertainties as to how this single unit would be managed. . **The key issue for the Committee to consider is therefore whether the provision of 1 affordable unit and the provision of a needed house type is sufficient reason to allow dwelling in the open countryside and as such depart from the Development Plan and the NPPF.**

It is considered that the location outside of the village envelope and detached from its services, the absence of **significant** affordable housing and failure to commit to fulfil local needs all detract from the weight that can be assigned in favour of the development. Accordingly, it is considered that it cannot be supported and the material considerations do not outweigh the development plan policies which seek to support existing communities and services through providing housing within the existing settlement. Accordingly the application is recommended for refusal.

**RECOMMENDATION:- Refuse:-**

The site lies outside of the village envelope for Harby within the countryside. Housing 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. Accordingly, there are insufficient other material considerations justification for allowing the development contrary to the development plan.

**Officer to contact: Mrs Denise Knipe**

**Date: 05.03.13**