

6<sup>TH</sup> AUGUST 2015

## REPORT OF HEAD OF REGULATORY SERVICES

APPLICATION 15/00201/FUL LAND ADJACENT TO 23 AND 24 GLEBE ROAD,  
ASFORDBY HILL**1. PURPOSE OF THE REPORT**

- 1.1 This report is intended to invite the Committee to give additional consideration to the above application after it has become apparent that objectors were not notified that the application was to be reported to the Planning Committee on the 16<sup>th</sup> July and did not have the opportunity to speak at the meeting prior to the decision being made.

**2. RECOMMENDATION**

- 2.1 **That the Committee gives additional consideration to application 15/00201/FUL as reported to Committee on the 16<sup>th</sup> July 2015, and allow a registered speaker the opportunity to address the Committee. The Committee report from 16<sup>th</sup> July 2015 is reproduced as Appendix A to this report.**

**3.0 BACKGROUND**

- 3.1 Members will recall this application being reported to Planning Committee on the 16<sup>th</sup> July 2015. The application was reported to Committee due to the number of objections received and was recommended for approval subject to a s106 Legal Agreement to secure the provision of affordable housing, including the quantity, tenure, house type/size and occupation criteria and the relevant conditions. The Committee resolved to approve the application as set out in the report with the additional requirement of a condition to safeguard the use of the turning head. The decision has not been issued as the s106 has yet to be completed.
- 3.2 However, since the meeting a complaint has been received that no notification was received by objectors that the application was being reported to the Committee. This has been investigated and due to IT issues it would appear that the e-mail notifications sent by administrative staff did not transmit to their intended recipients. Therefore the Council has failed to notify interested parties in line with procedures and its obligations to such parties.
- 3.3 Because of the failure of the notifications to be received by interested parties, any representative of objectors or supporters has been denied their opportunity to address Members with their concerns prior to the determination of the application.

**4. KEY ISSUES**

- 4.1 It is therefore recommended that the application be further considered with the benefit of contributions from any interested party to address members, in line with the Council's speaking procedures.
- 4.2 In failing to correctly follow procedures the Council could be challenged for maladministration. Therefore, in considering the interested parties verbal

representations and following procedures correctly this would remove the risk of a legal challenge.

- 4.3 In giving the application further consideration, it needs to be clearly understood that that the purpose is to consider any new information that was not previously available. The outcome of the decision made on the 16<sup>th</sup> July 2015 should only be departed from if information is presented to them which has not previously been presented and taken into account as part of the consideration of the application so far, i.e. that it has not formed part of the Committee report or information presented to Members at the meeting of the 16<sup>th</sup> July 2015.

## **CONCLUSION**

- 4.4 Members are advised that in view of the failure of e-mails sent notifying interested parties that the above application was to be reported to Committee on the 16<sup>th</sup> July 2015 reaching their destination, that further consideration is given to the application, to ensure procedures are correctly followed and interested parties the opportunity to address the Committee in line with our speaking procedures.

## APPENDIX A

**COMMITTEE DATE: 16th July 2014**

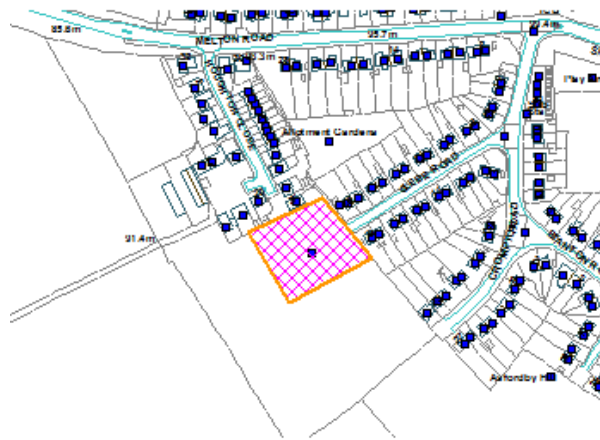
**Reference:** 15/00201/FUL

**Date submitted:** 27.03.15

**Applicant:** Talavera Estates - Mr J Chastney

**Location:** Land Adjacent To 23 And 24 Glebe Road, Asfordby Hill

**Proposal:** Construction of 15 dwellings and associated road



### **Proposal :-**

This application seeks planning permission for 15 dwellings on agricultural land adjacent to the end of Glebe Road to the south west of the village of Asfordby Hill. The site lies outside the designated village envelope within the open countryside and sits behind dwellings on Houghton Close and to the west of Glebe Road.

The application proposes the erection of 15 dwellings on a site with an area of 0.33 hectares. The application proposes a range of dwelling sizes from 1 bedroom to 3 bedroom and are proposed to be 2 storey houses, bungalows and maisonettes. The site will be accessed via a single point of access from Glebe Road providing a new turning head within the site. All of the proposed dwellings are proposed to be affordable housing.

The application has been supported by a Planning Statement, Design and Access Statement, Flood Risk Assessment, Ecological Assessment and a Landscape Appraisal. 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**
- **Impact upon the Character of the Area and Open Countryside**
- **Impact upon residential amenities**
- **Highway Safety**

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 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:**

<b>Consultation reply</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Highways Authority: No objection.</b></p> <p>The Local Highway Authority advice is that, in its view the residual cumulative impacts of development can be mitigated and are not considered severe in accordance with Paragraph 32 of the NPPF, subject to conditions.</p> <p>Whilst the proposal is within an area that does not have many amenities the highway authority feel that there would be a Highway gain for Glebe Road in that a turning head would be provided.</p> <p>There is an unofficial walk way through the site at present; however given that the route is not on the definitive footpath map the Highway Authority would have no grounds to ask the developer to maintain the route through the site. Furthermore the route would then go on to land not owned by the applicant therefore it would be difficult to insist a route is provided through the site.</p>	<p>The proposed access is to be located from Glebe Road continuing the road and footway and then forming a ‘T’. The access will provide a turning head to the west of the development and two roads running north and south to serve the proposed dwellings and parking spaces.</p> <p>The Highways Authority has not objected to the proposed access and considers that the proposed turning head to the east of the site would be a highway gain for Glebe Road as currently there is no turning within the highway.</p> <p>The proposed development provides adequate off street parking spaces for each plot.</p> <p><b>The proposal is considered to be acceptable in transport terms and would not have a detrimental impact upon Highway Safety.</b></p>
<p><b>Lead Local Flood Authority:</b> No objection, refer to standing advice.</p> <p>For greenfield developments, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak greenfield runoff rate for the same event. The runoff volume from the development in the 1 in 100 year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event.</p>	<p>Noted.</p> <p>When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment and will not put the users of the development at risk.</p> <p>The application was supported with a Flood Risk Assessment and the proposal lies within Flood Zone 1 (low probability). The LLFA have no objection to the proposal. As the site is currently a greenfield site the water run off rate can be no greater than the existing. Details of the SUDs can be requested by condition.</p>
<p><b>Housing Policy Officer: No objection</b></p> <p>David Couttie Associates conducted a Housing Market Analysis for Melton Borough Council (Housing Stock Analysis 2006-2011; 2006) which clearly demonstrated that there is a surplus of larger private market homes and a significant lack of smaller sized properties within Melton Borough. Future development has therefore to address the imbalance of stock type and size, both by tenure and location to create a more sustainable and balanced housing market. This will require a bias in favour of small units to address both the current shortfall and future demographic and household formation change which will result in an increase in small households and downsizing of dwellings.</p>	<p>The National Planning Policy Framework (NPPF) recognises that housing should meet the needs of present and future generations (Para 10). The NPPF 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.</p> <p>This application proposes 15 residential properties and seeks to provide 100% affordable housing with a mix of 1, 2 and 3 bedroom properties, including bungalows. The mix is considered to meet identified housing need.</p>

<p>The assessment found specifically within the Rural West of the Borough that there is a need for additional market housing to 2011, there is a local surplus of larger family homes with additional 3 bedroom properties being particularly required to rebalance the existing stock. There is also a need for smaller sized dwellings such as 2 bedroom houses and accommodation suitable to meet the needs of older people. There are limited opportunities for new housing development in the rural settlements in the Borough and therefore new residential developments in the area should contribute towards the creation of a mixed community and have regard to local market housing needs.</p> <p>The Leicester and Leicestershire Strategic Housing Market Assessment (Blinc Housing, 2009) supports the findings of the Housing Market Analysis and states that controls need to be established to protect the Melton Borough (particularly its rural settlements) from the over development of large executive housing, and to encourage a balanced supply of suitable family housing (for middle and lower incomes), as well as housing for smaller households (both starter homes and for downsizing). It continues to state that the undersupply of suitable smaller sized dwellings needs to be addressed to take account of shrinking household size which if not addressed will exacerbate under-occupation and lead to polarised, unmixed communities due to middle and lower income households being unable to access housing in the most expensive and the sparsely populated rural areas.</p>	<p>The Council has undertaken several assessments in order to be informed by an evidence base of housing need (households unable to access suitable housing without financial assistance). The level of identified need for affordable housing is extremely high within the borough. This application proposes 100% affordable housing with 11 units for rent and 4 for shared ownership.</p> <p><b>From a housing supply perspective this application is very positive because it meets a requirement to provide affordable housing and offer a suitable mix of property types.</b></p>
<p><b>Severn Trent Water authority:</b> No objections</p>	<p>Noted.</p>
<p><b>LCC Ecology:</b></p> <p>The ecology report submitted in support of the application (ECUS, January 2015) indicates that the site currently comprises species poor semi-improved grassland, arable and areas of scrub. It should, however, be noted that the survey was completed at the sub-optimal time of year.</p> <p>No evidence of protected species was found on site, although the pond nearby was considered to have an average suitability to support great crested newts (GCN). They are therefore in agreement with the recommendations in the ecology report in that further GCN surveys are required, prior to the determination of the application. If GCN are found within the pond, a mitigation strategy for the site should also be completed and submitted up-front with the application. Great Crested Newt surveys can only be carried out between February/March and May and we would therefore advise the applicant to commission these surveys</p>	<p>Noted.</p>

<p>as soon as possible.</p> <p>It is also recommended that the survey of the area of semi-improved grassland is updated whilst the ecologist is on site, to ensure that species were not missed during the sub-optimal survey earlier in the year.</p> <p>On receipt of a further great crested newt survey (GCN) (Ecus, June 2015) which recorded no GCN in the nearby pond. LCC Ecology advised that GCN are not a constraint to this development and we have no further comments to make.</p>	<p>A further survey was submitted by the applicant on the 15<sup>th</sup> June and County Ecology were consulted.</p> <p>Noted.</p> <p><b>The application has been independently reviewed and no objections have been received in regards to the surveys submitted.</b></p>
<p><b>LCC Developer Contributions-</b></p> <p><b>Waste</b> - 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 £1240 (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.</p> <p><b>Libraries</b> – The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area.</p> <p>The proposed development on Asfordby Hill is within 2.7 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 £440 (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 to purchase additional library materials, e.g. books, audio books, newspapers and periodicals etc for loan and reference use to mitigate the impacts of the proposed development.</p> <p><b>Education-</b> no contribution is requested. No contribution is requested because sufficient capacity exists within the relevant schools</p>	<p>S106 payments are governed by Regulation 122 of the CIL Regulations which requires 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 in this case, a 100% affordable exception scheme for only 15 dwellings, that the requests - whilst related to the development - are not considered reasonable due to their small value and necessary to allow the development to proceed. <b>Therefore it is not considered that the requested payments satisfy the criteria and not appropriate for inclusion in a s106 agreement.</b></p> <p><b>Noted</b></p>
<p><b>Building Control</b> - confirm that the fire access appears to be satisfactory and that any drainage provisions will be checked on site under Building Regulations.</p>	<p>Noted</p>



<p><b>Asfordby Parish Council: Object</b></p> <p>Allowing an application at this stage of the Neighbourhood Plan will predetermine decisions that should rightfully be made through the Neighbourhood Planning process. The Parish Council believes that this could then undermine public confidence that their views will have a real influence when it comes to preparing the Plan. The Asfordby Parish Neighbourhood Plan is empowering local people to shape their surroundings with a plan that sets out a positive vision for the future of the area. The local community has been actively involved in the consultation process. It would render futile the work done by the Parish Council and the contributions made by the local community, therefore reducing public confidence in the planning process and would be contrary to the spirit of paragraphs 12 and 17 of the NPPF. The Parish Council is disappointed that the developer did not use the opportunity to make a representation during the recent pre-submission consultation period.</p>	<p>The Parish Council has made good progress with preparing the neighbourhood plan and has carried out a number of community consultation events to engage local people on how their parish should develop over the plan period.</p> <p>No weight that can be attributed to the Neighbourhood Plan, because it has not progressed to a final draft plan or adoption.</p> <p>The Localism Act brought about Neighbourhood Planning and this is reinforced in the NPPF. One of the core planning principles seeks to give communities a say in shaping their areas with a plan led system. Neighbourhood Plans are seen as a tool to allow communities to put forward areas for development of housing, provided they are in conformity with the Local Plan.</p> <p>The Planning Practice Guidance provides advice on the matter of prematurity (i.e. proposals coming forward whilst a plan is in development) and whether a refusal of development proposal can be justified on those grounds. The advice given is that <i>“in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would <b>significantly and demonstrably outweigh the benefits</b>, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:</i></p> <p><i>a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; <b>and</b></i></p> <p><i>b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”</i></p> <p>It goes on to advise that <i>“ Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period”</i></p>

<p>Glebe Road is not wide enough to use as an access road into a new development</p> <p>If development is allowed in this location it will encroach into the area of separation between Asfordby Hill &amp; Asfordby Valley. Our residents and Councillors strongly support the retention of the areas of separation and want the 2 areas to keep their own separate identities.</p>	<p>Where refusal of planning applications are made on the grounds of prematurity the Authority needs to indicate clearly how planning permission would prejudice the outcome of the plan-making process.</p> <p>The Asfordby Neighbourhood Plan is at at ‘pre submission’ stage and was advertised earlier this year. It has not yet reached the stage where it is ready for submission and the subsequent rounds of formal consultation and examination.</p> <p>This development proposes 15 dwellings. With regard to housing numbers it is not considered that 15 dwellings in this location could be considered to be so substantial that it would undermine the plan-making process by establishing the scale, location or phasing of new development with which the NP is concerned.</p> <p><b>It is considered that the NP is not in the position that the National Guidance advises that ‘prematurity’ concerns can be applied, either in terms of its progress or the scale of the development concerned, and therefore not considered that a refusal could be reasoned on the grounds of prematurity in light of the above factors.</b></p> <p>Noted, the application has been assessed by the Highway Authority who have raised no objection to the access road and considered the proposed access and turning to create a highway gain as there is currently no turning head in Glebe Road.</p> <p>The site is located to the south west of Asfordby Hill, there are residential dwellings to the east, Glebe Road and Crompton Road, and dwellings to the north on Houghton Close. To the west and south of the site are fields which are currently used for agricultural. The site is considered to tightly adjoin the built form of Asfordby Hill and would only encroach part way into the field surrounded by residential built form on two sides. There will be clear views of the proposed development from the south and west but read against the existing settlement boundaries. The site not in the area of separation as detailed in the existing Local plan, the or the evidence base prepared for the Core Strategy (2006) (nor indeed does it lie within the area of separation as shown in the pre submission Neighbourhood Plan). Due to the size of the proposed development, its location close to the built up boundaries of Asfordby Hill and that it does not project beyond the built form of Asfordby Hill into the area of separation between Asfordby Hill and Asfordby Valley to the west, it is not considered that the development would encroach in the area of</p>
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<p>The housing density is not reflective of the surrounding property density, with the density being much higher at 45/hectare. This is out of keeping with the immediate neighbourhood and will look out of place.</p> <p>There is a lack of local amenities on Asfordby Hill, the local school has a waiting list, there are no shops and no local transport in the evenings or on Sundays or Bank Holidays.</p>	<p>separation or have an adverse impact on the separate identities of these two settlements.</p> <p>The application proposes the erection of 15 dwellings on 0.33ha of land. The application proposes a variety of bungalows, maisonettes, and semi-detached/terrace properties. The proposal includes adequate parking and amenity spaces for each property. Whilst the adjoining road, Glebe Road, is predominately semi-detached dwellings with larger gardens it is not considered that the density of the development is completely out of character and the plot and garden size is not dissimilar to the new development on Houghton Close. It is considered that the density is not out of character with the settlement of Asfordby Hill.</p> <p>The village of Asfordby Hill is considered to perform reasonably well in sustainability terms with sufficient public services to support new residents and is close to the town of Melton with good public transport connections. It is considered that the site presents an opportunity to provide a affordable dwellings capable of fulfilling future local housing needs and this represents a benefit of some significance when considering the loss of the greenfield site. There are limited development opportunities within the rural villages to assist with meeting the housing needs of the residents. The Education Authority have been consulted and have advised that there is sufficient capacity existing within the relevant schools.</p>
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**Representations:**

A site notice has been posted and neighbouring properties consulted. As a result **25 letters of objection have been received from 19 separate households** the representations are detailed below.

<b>Representations</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Highway Safety:</b></p> <p>The proposed access road to it is already overloaded with the existing households.</p> <p>Traffic coming along Glebe road has increased in recent years, with access to some houses only possible when people park their cars on the paths and sooner or later an emergency vehicle will not be able to get access.</p> <p>Glebe road is not a wide enough road for the access to these houses and more traffic would put current residents, particularly the many local children, at risk.</p> <p>The application proposes an access road of 5.5m to allow access of large vehicles and delivery vehicles. The current road width of Glebe Road is</p>	<p>The proposed development would be served by an access road continuing off the end of Glebe Road culminating in a turning head to the west of the site. The dwellings are served off the access road and via two roadways from the main access, running north to south.</p> <p>Glebe Road is currently a no through road which ends at the proposed development site with no turning provision.</p> <p>There is currently on street parking on Glebe Road and the concern over existing parking issues is noted.</p> <p>The proposal provides for an adequate access road, turning head and acceptable parking provision for each property.</p>

only 4.6m providing already restricted access and limited road side parking and in addition is less than the required minimum width for residential development. Although the submitted plans detail two off road parking spaces, the additional properties detailed in the proposal would entail the loss of a further existing much-used on-road parking space. Currently there is insufficient space to allow for passing traffic.

Any increase in traffic flow as proposed would undoubtedly impact on the existing residential properties access, on-road side parking and will mean the loss of a valuable residential amenity and impact on this quiet rural area of the village.

New dwellings will make the road very dangerous as the road isn't wide enough to accommodate the building vehicles and 20+ more cars, this extra makes it dangerous because there are young children and vulnerable adults living in the area.

Glebe Road is not wide enough for current traffic let alone any more. I would be surprised to see a lorry make it in to the site.

There is not the capacity on this road to take either site traffic during the construction phase, or the additional burden of daily traffic caused by 15 new houses.

Most cars have to park on the pavements to allow passage of cars. Lorries struggle on a regular basis to gain access down the road, regularly having to mount the pavement to gain access.

The proposed development does not meet the Highways Agency's guidelines of 2 spaces per dwelling of up to three bedrooms. The proposed development has 15 dwellings and 15 parking spaces.

Whilst there is a gain to current residents by the creation of an easement zone, there is a risk that the new residents may have to use the easement zone as 'on road' parking or they may park their vehicles outside of the new development and on the current street increasing current congestion

It is currently very safe for children on Glebe Road. As the pavements are blocked with cars the children of the road have to play in the middle of the road, which is already safety concern. More cars using the road would lead to a far greater risk to the children.

Glebe road is very narrow and in the evening quiet congested at times, There will be an increase

**The Highway Authority raises no objections to the proposal, subject to conditions, see assessment above.**

The development proposes 26 off street parking spaces for the 15 dwellings. The application proposes a mixture of 1, 2 and 3 bed dwellings. The majority of the proposed units are provided with 2 parking spaces with the exception of two of the proposed 2 bed bungalows and the maisonettes 1 and 2 bedroom will have one off street parking space. It is considered that the level of parking on this development is sufficient and would not lead to on street parking issues that would cause a hazard.

Noted, the Highway Officer has recommended that a condition be imposed requiring two spaces per dwellings. However, as stated above it is considered that 26 spaces is sufficient for the nature of the dwellings and size of the dwellings with the majority having two spaces fulfilling the requirement.

The application proposes an access road leading to the access and parking for Plots 1-3, and 4 – 7. The application does not propose an access route through to Houghton Close. Indicated on the plan is an easement zone not an access road. If further developments are proposed they would be the subject of a planning application and would need to be considered on their own merits.

<p>in the volume of traffic using Glebe road, which is not made to take the amount of extra traffic that building these homes would cause.</p> <p>No turning area has been accounted for in the plans, either, which means any residents will continue to have great difficulty turning.</p> <p>The construction traffic would be a major concern and question whether the road suitable for such traffic.</p> <p>Why can't the main access for the new houses also come from a better suited road?</p> <p>While this particular application is for 15 houses, the plans infer that - ultimately - there would be further developments and that Houghton Close would no longer be a cul-de-sac but a through road. The street is not designed to accommodate this kind of traffic. Also, the purchase decision for living here was for the safety of families with children playing. Further traffic will restrict this freedom and increase the hazards for existing residents' children.</p> <p>Many dog owners that live on this estate and use the pathway at the end of glebe road to access the bridleway from the bottom of the valley in order to exercise their pets.</p> <p>There is no access to the fields included in the plans.</p> <p>Currently, the community of Asfordby Hill use the fields next to Glebe Road to access the Asfordby Parish walks for leisure and to exercise animals. Should this be cut off, as suggested in the current proposed plans, they would be forced to walk down the busy main road, putting themselves and others at risk. Therefore, we would advise a revision of the plans to allow foot access to the parish walks.</p>	<p>A turning head is proposed within the development and the highway authority have advised that this is considered to be highway gain as currently Glebe Road has no turning facilities.</p> <p>Noted, construction traffic would be temporary whilst the development is being built.</p> <p>Noted. There is currently a footway that crosses the development site from the end of Glebe Road leading across the top of the field to the fields to the west. This is considered to be an unofficial walk way through the site at present; however given that the route is not on the definitive footpath map the Highway Authority have advised that they would have no grounds to ask the developer to maintain the route through the site. Furthermore the route would then go on to land not owned by the applicant therefore it would be difficult to insist a route is provided through the site.</p>
<p><b>Impact upon the Character of the area:</b></p> <p>The Crompton Road, Glebe Road, Stanton Road area is a lovely quiet residential area the addition of more houses would make this not so thus upsetting many residents. It is vital that this greenbelt land is protected.</p> <p>This area is a lovely quiet place to live. Our countryside needs saving</p> <p>This is not sustainable - The brown field areas should be used first and green field not considered until the huge brown areas are used. The countryside needs saving.</p>	<p>The application proposes the erection of 15 dwellings on a site located within the designated open countryside. The site is not designated greenbelt.</p> <p><b>However, the site is considered to be greenfield and not brownfield.</b> The NPPF encourages the re-use of brownfield land but there is no prohibition on the use of greenfield land. In Melton's circumstances, there is insufficient brownfield land to meet supply and Greenfield locations are required to satisfy demand.</p> <p>The application proposes the erection of 15</p>

<p>There is an abundance of wasteland/brownfield on Asfordby Hill which should be considered first before we encroach onto our beautiful countryside.</p> <p>The proposed development is on greenbelt land, the countryside should be protected in all circumstances.</p> <p>This proposal is for a higher property density build which is not in keeping with the area. It does not offer sufficient space for young families or their children.</p> <p>The styling of the development has no synergy with the surroundings. It is a random styling put next to two further separate styles - that of the newer development on Houghton Close and the older style of Glebe Road.</p> <p>The dwellings are not in line with the building line.</p> <p>Bungalows are not in keeping with the area.</p>	<p>dwellings on 0.33ha of land. The proposal includes adequate parking and amenity spaces for each property. Whilst the adjoining road, Glebe Road, is predominately semi-detached dwellings with larger gardens it is not considered that the density of the development is completely out of character and the plot and garden size is not dissimilar to the new development on Houghton Close. It is considered that the density is not out of character with the patters found more generally in Asfordby Hill. The site does not provide any open space provision and this shortcoming will need to be considered against the benefits of the scheme. There is a play area not too far from the proposed development on Melton Road/Crompton Road and whilst not compliant with policy H11 of the Local Plan is considered to be a satisfactory distance from the development, similar to the properties to on Glebe Road.</p> <p>The site is outside of the village envelope for Asfordby Hill partially on agricultural land. It is proposed to develop behind the existing dwellings on Houghton Close and to the edge of Glebe Road, providing a 'squaring off' to the end of Glebe Road. The proposal seeks to provide 15 affordable units on a site served by a single access with two branch roads to serve the units and off street parking spaces. The dwellings have been designed to form a courtyard following the linear pattern of Glebe Road and row of dwellings to the western edge facing the village. Whilst this does not respect the building line of Glebe Road it does follow the linear pattern of this road whilst also respecting the courtyard and turning as seen in the development to the north on Houghton Close. <b>In terms of layout it is considered that the proposal respects the adjoining settlement and would not have a detrimental impact on the character and appearance of the area.</b></p> <p>The village of Asfordby Hill is characterised by semi-detached dwellings and Victorian terraced properties; once part of the stock holding for workers at the steel works. There has been very little 20th century development in the village with the most recent housing stock being located opposite the site at Houghton Close, which presents a very modern character to this part of the village.</p> <p>The application proposes a mixture of single storey, maisonettes, semi-detached and terrace properties. All of these property styles are present within the village of Asfordby Hill, particularly the semi-detached dwellings along Glebe Road and Crompton Road and the terrace and larger masionette is considered to be in keeping with the more modern development on Houghton Close. Whilst bungalows are not as common in the area</p>
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<p>Lead to the coalescence of existing settlements</p> <p>The proposal is outside the village boundary and if these can be built how many more will then be added?</p> <p>This is the 'thin end of the wedge' for Asfordby Hill and the 3 fields surrounding Glebe, Crompton &amp; Stanton Roads. A village boundary is not enough to stop inappropriate development. This first small approval outside the boundary could then mean 100s of further houses changing the character of the South side of Asfordby Hill completely from quiet &amp; peaceful to busy &amp; noisy with the land forming a small bowl.</p>	<p>they are considered to be a much needed house type and would meet an identified need. <b>The units are considered to be designed to be in keeping with the surrounding area.</b></p> <p>Noted, see comments on page 9 of the report.</p> <p>Noted, this application proposes the erection of 15 dwellings on a site on the edge of the settlement. Any further development would require the benefit of separate planning consent and would need to be considered on its own merits.</p> <p>There are residential dwellings located on the edge of the settlement of Asfordby Hill to the east, Glebe Road and Crompton Road, and dwellings to the north on Houghton Close. To the west and south of the site are fields which are currently agricultural. The site is considered to tightly adjoin the built form of Asfordby Hill and would only encroach part way into the field surrounded by residential built form on two sides. There will be clear views of the proposed development from the south and west but these will be 'read' against the existing settlement boundaries. The loss of part of a greenfield site needs to be considered against the harm to the open countryside and weighed against the benefits of the proposal.</p> <p><b>Located so close to the settlement boundary and with limited views from the open countryside it is considered that the erection of 15 dwellings in this location would have a limited harm on the open countryside. Therefore the limited harm in respect of the open countryside is required to be balanced against the benefits of the scheme.</b></p>
<p><b>Impact upon residential outlook/amenity</b></p> <p>Loss of privacy and overlooking. No 27 Houghton Close backs directly onto the open fields. The development would place 3 bungalows with gardens and parking directly behind this property within approximately 40 feet of the back door and therefore removing privacy.</p> <p>The new bungalows would have their privacy affected as many of the windows on No 27 Houghton Close would look directly into their gardens and properties.</p> <p>The parking spaces immediately outside the patio doors of No 27 Houghton Close would enable overlooking directly into the house.</p> <p>Unclear what the planning statement in point 6.35 refers to by an appropriately worded condition.</p>	<p>The application proposes the erection of a block of three adjoining bungalows to the north of the site with the rear gardens adjoining the boundary with No. 27 Houghton Close. The units would be single storey with a kitchen and a lounge window on the rear elevation towards the existing property. The proposed bungalows would be approximately 12 metres from the rear of No. 27 Houghton Close.</p> <p>The rear of No. 27 Houghton Close has a number of windows on the elevation facing the site. No. 27 Houghton Close sits elevated to the site which falls away to the south. Whilst the distances are slightly short of acceptable distance separations the proposal relates to single storey units which due to the fall in land levels and with suitable boundary treatments the relationship is considered to be acceptable in this instance. It is not</p>

<p>Loss of daylight if hedging planted to screen the two developments. No 27 Houghton is currently enclosed by a wrought iron fence and a hedgerow would negatively impact on the daylight of this property.</p> <p>The proposal will restrict access for essential maintenance to the rear of the garage at 18 Houghton Close</p> <p>It will change the rear aspect and views. Instead of fields, would be looking out onto 3 rear gardens. Have no desire to have a view of anyone's rear garden, nor do we wish them to have a view of ours. We have always made this a consideration when buying a property and this development would force this on us.</p> <p>This development would significantly infringe on privacy as it would result in 3 houses viewing the rear of our property and every movement made in our garden.</p> <p>The proposed site will be placed directly at the end of Houghton Close which will sit immediately at the end of our property and by definition will remove our privacy.</p>	<p>considered that the siting of the units and the location of the windows would lead to direct overlooking or an adverse impact on privacy to this property.</p> <p>There is a concern that due to site levels that the occupants of No 27 Houghton Close would be able to look down into the rear windows of the proposed new dwellings. However, one of the windows on the rear elevation of the bungalows would be a kitchen window which is considered to be a non-habitable room and the other window is to the lounge dining. On plot 1 the rear elevation is off set from the rear of No. 27 Houghton and it is considered that no direct overlooking would be created. On plot 2 the lounge window is to the east of the unit and again is slightly off set from the rear of No. 27. With regards to Plot 3 the lounge window would be separated from the rear of No. 27 by the proposed car parking area and garden area. Therefore, whilst the relationship is not perfect it is not considered that the privacy of the future occupants of the bungalows would be detrimentally impacted as to warrant a reason for refusal.</p> <p>It is not considered that the location of the parking would have an undue impact on the occupants of No. 27 Houghton Close with suitable boundary treatment.</p> <p>Details of the boundary treatment would need to be agreed by means of a condition.</p> <p>Noted, this is a private civil matter. If there is a right of access for this purpose, it will not be overridden by the planning decision.</p> <p>Noted, protection of a private view is not a material planning consideration.</p> <p>To the rear of 18 and 20 Houghton Close would be the side gable of Plot 4/5 a semi-detached dwelling. The units would be separated from No 20 Houghton Close by approximately 14 metres and screened by an existing garage. There are no principal windows proposed on the gable end with the creation of a bathroom window and secondary lounge window. It is not considered that the location and layout of the proposed unit would have an unacceptable impact on the privacy of No. 20 Houghton Close. No. 18 Houghton Close is off set from Plot 4/5 and screened by an</p>
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<p>The dwellings are to sit in front of No 26 Glebe Road which will obstruct the light into No. 26.</p>	<p>existing garage. It is not considered that the proposal will have a unduly detrimental impact on properties to the north on Houghton Close.</p> <p>To the west of No. 26 Glebe Road are the proposed bungalows. These units project forward from the building line on Glebe Road but are single storey and separated by approximately 5 metres. No. 26 has a ground floor window to the frontage but sits slightly elevated to the site. It is not considered that due to the position of Plot 1 and that it is single storey with the roof pitching away that it would have a detrimental impact on No. 26 Glebe Road.</p> <p>To the south of the site the row of terrace properties, Plots 12- 15, would sit slightly behind the building line to the south of Glebe Road and sited in this location it is not considered that these plots would have a detrimental impact on the amenities of adjoining properties.</p> <p><b>It is not considered that the proposal would have an unduly detrimental impact on the residential amenities of adjoining properties and is considered to comply with Policy BE1 of the Local Plan.</b></p>
<p><b>Drainage</b></p> <p>Houghton Close already incurs drainage issues during heavy rain and the additional dwellings would increase this further.</p>	<p>A Flood Assessment has been carried out and independently reviewed by the Lead Local Flood 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 issue raised through the consultation highlights that there is an existing problem which cannot be rectified by this proposal.</p>
<p><b>Planning Policy:</b></p> <p>The proposed development is on a greenfield site and breaches the village envelope. In the current local plan policy OS2 does allow for affordable housing outside of the village envelope but in conjunction with policy H8. I believe the proposal fails to meet this criteria as there are no exceptional circumstances, the need has not been established by the Parish Council or Borough Council as both still have their neighbourhood and local plans in development, the development is not in keeping with the housing density of Glebe Road and there is a lack of community</p>	<p>The site is located on the edge of Asfordby Hill within the designated open countryside. development outside of the village envelope to that essential to the operational requirements of agricultural, small scale commercial development, leisure and tourism development.</p> <p>The development is for 100% affordable housing and is being considered as an exception site under <b>Policy H8</b> which allows for small size developments containing affordable housing only.</p>

services on Asfordby Hill.

There is no specific need for affordable dwellings on Asfordby Hill. Affordable housing was included in the building of Houghton Close and most recently more were built at the top of Crompton Road and the bottom of South Street.

The development does not meet local need as the need has already been met. To reflect a diversity of housing types these new houses should be larger housing or bungalows not houses types of which there is an abundance.

Noted, the scheme includes a mixture of bungalows, maisonette flats and 2 and 3 bed dwellings which are considered to meet an identified need.

It is considered that the site presents an opportunity to provide a mix of house types and as 100% affordable these would be capable of fulfilling future local housing needs and this represents a benefit of some significance when considering the loss of the greenfield site. There are limited development opportunities within the rural villages to assist with meeting the housing needs of the residents.

**It is therefore considered that the development in accordance with the development plan.**

**The NPPF is considered to be a material consideration of significant weight that needs to be considered alongside the Development Plan.**

The National Planning Policy Framework (NPPF) provides guidance at a national level. In relation to existing development plans. The NPPF states that due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The saved policies of the adopted Melton Local Plan should be applied in this context.

The NPPF is founded upon a presumption in favour of sustainable development which in relation to decision making means approving 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 the Framework taken as a whole, or, specific policies in the Framework indicate development should be restricted.

As summarised above, the NPPF seeks to boost housing supply and requires provision of a 5 year supply of housing land plus 5% 'headroom'. Melton's most recent analysis concluded that this is not being met and the available supply is significantly below 5 years. There have been no recent challenges to this position. The NPPF further advises that housing policies should not be considered up to date if a 5 year supply cannot be demonstrated. This is in addition to its more

<p>In the current local plan paragraph 3.70 states; The Council will not permit development which could set a precedent for ribbon development on the edge of villages. Although this is not strictly ribbon development. Believe the same principal does apply here. Policy H18 also deals with backland developments and states they too should not set a precedent for similar forms of development, the cumulative effect of which would adversely affect the existing character and appearance of the wider area .</p> <p>The application is in breach of policy H11 as 15 houses or more requires the provision of playing space</p> <p>The village is not sustainable in its own right. The site is not a walk able distance from local amenities especially when consider the topography of the land.</p> <p>While Asfordby Hill does have a primary school and a social club, football field and a garden centre with a farm shop, there is generally a poor range of services. The nearest amenities are in Asfordby itself, a 22 min walk, the nearest doctor’s surgery is in Melton Mowbray and there is not a pre-school or pub in the village.</p>	<p>general approach (at para. 14) that where a local plan is out of date permission should be granted unless the impacts would “<b>significantly and demonstrably</b>” outweigh the benefits, judged by the content of NPPF.</p> <p>It is considered that these expectations of the NPPF considerably undermine the reliance that can be placed on the housing policies of the Local Plan. However, policy H8 is considered to remain compatible with the NPPF.</p> <p>Policy H18 is not a saved policy. An assessment on the impact on the character and appearance of the wider area is made above in the report on page 12-14.</p> <p>The site is an ‘exception site’ providing affordable housing. The site does not provide any open space provision and this will need to be considered against the benefits of the scheme. There is a play area within a reasonable distance from the proposed development on Melton Road/Crompton Road and, whilst not compliant with policy H11 of the Local Plan, this is considered to be a satisfactory distance from the development, similar to the properties to on Glebe Road.</p> <p>The village of Asfordby Hill is considered to be a sustainable location with sufficient public services to support new residents and is close to the town of Melton where there are good public transport connections.</p> <p><b>Conclusion on Planning Policy issues:</b></p> <p>It is considered that the development is compatible with Policy OS2 and H8 and the NPPF with regards to the provision of affordable housing.</p> <p>With regards to Policy OS2 as a countryside protection policy the Committee should consider</p>
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	<p>two central issues:</p> <ul style="list-style-type: none"> <li>• <b>Whether the harm to the character and appearance of the countryside ‘significant and demonstrable’, sufficient to outweigh the benefits of the scheme.</b></li> <li>• <b>Whether, if considered harmful, the overall benefits outweigh the adverse effects. It is considered that the provision of affordable housing is particularly significant in this context.</b></li> </ul>
<p><b>Wildlife</b></p> <p>The site is a perfect habitat for wildlife</p> <p>The field supports woodpeckers, barn owls and other hunting birds plus hedgehogs.</p> <p>The area in question has wildlife in abundance</p>	<p>Noted</p> <p><b>Appropriate surveys have been submitted and have been independent reviewed by the Council’s Ecological advisor. The ecological advisor has not object to the proposal (see above).</b></p>
<p><b>Other Matters:</b></p> <p>With the new builds being put up in Houghton Close feel that have started to flood the area with which certainly won't be affordable housing for first time buyers.</p> <p>This is such a small building plot on a large field, will further development be granted if this one is too</p> <p>Development at the end of Glebe Road could set a precedent for future development outside the village envelope as the ends of Crompton Road and Stanton Road present similar circumstances.</p> <p>There are errors in the application which state that the site is currently dis-used farm land. This is incorrect, there is a strip of unplanted land immediately to the rear of Houghton Close but more of the proposed development site is farmland in active use and has crops growing.</p> <p>The application states that the proposed site is on unproductive land with no agricultural use. The land is actually set-aside for the productive agricultural field which currently has a very healthy crop of wheat in it.</p> <p>The Neighbourhood Plan is to keep a clear distinction between Asfordby Hill, Valley and Village by not building between them.</p> <p>There is a private park on Houghton Close for which all residents have to pay for maintenance (included in our deeds). A separate development would, no doubt, encourage additional use (for</p>	<p>The application proposes 15 affordable units which will be secured through the provisions of a S106 Agreement.</p> <p>Each application should be considered on its own merits. This application proposes the erection of 15 dwellings in line with exception policy H8. Any future application would need to be considered on its own merits were it to be submitted in the future.</p> <p>Noted. The application site is partially unplanted land and partially active farmland. The land has been identified as being partially 3a (less than 12%). NPPF classifies that land in grades 1, 2 and 3a should be considered as best and most versatile agricultural land. In relation to development the NPPF states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. The area of agricultural land to be lost as part of this development is relatively small scale. In terms of the planning balance this small scale loss would not weigh heavily against the application.</p> <p>Noted: it is not considered that this proposal interferes with this aspiration (see comments on page 9 of the report).</p> <p>Noted, if this is a private park then the owners are able to control access.</p>

<p>which it does not have capacity) and these potential new residents would not be paying for the upkeep. This would, inevitably, leading to neighbourhood conflict and ill-feeling.</p> <p>The park is designed for private and minimal use of the cul-de-sac residents. An additional development would increase the use and, therefore, the noise and social feel of Houghton Close for existing residents, particularly those living at this end of the street.</p> <p>This development is fundamentally changing our purchase decision and devaluing our property for us as residents and for potential onward sale</p> <p>There is already a lack of amenities in Asfordby Hill, there is no space in the local school. The school is full and has a waiting list.</p> <p>The noise and dust would be unbearable should the building work go ahead - the children's park would not be in use during such time</p> <p>Impact on local residents during the construction phases due to construction traffic</p> <p>The dwellings should be built for local people.</p>	<p>Noted, this is not a material planning consideration.</p> <p>The Education Authority has advised that sufficient capacity exists within the relevant schools</p> <p>Noted, noise and disturbance during construction is temporary.</p> <p>Noted. The application proposes 100% affordable housing. The legal agreement which would secure these dwellings as affordable can restrict the proposed tenure and require a local letting agreement.</p>
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### Conclusion

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

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

Affordable housing provision remains one of the Council's key priorities. This application presents a site of 100% 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 and of a type to support the local market housing needs. Asfordby Hill is considered to perform reasonably well in sustainability terms and adequate access and parking provisions can be provided and maintained to the satisfaction of the Highways Authority. It is considered that these facts are material considerations **of significant weight in favour** of the application.

It is considered that balanced against these positive elements are the site specific concerns raised in representations, particularly the development of the site from its green field state outside of the village envelope 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 outside of the village envelope and lack of open space provision – are considered to be of limited harm in due to the location and surroundings of the site, its proximity to existing open space and potential for careful landscaping.**

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 should 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) 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
- (ii)

**(b) The following conditions;**

1. The development shall be begun before the expiration of three years from the date of this permission.
2. This decision notice relates to the approved plans submitted to these offices on 5<sup>th</sup> and 6<sup>th</sup> June 2015 numbered RDC 990/101 Rev C, RDC 990/301a Rev B, RDC 990/208, RDC 990/202 Rev A, RDC 990/209, RDC 990/206 Rev A, RDC 990/205 Rev A, RDC 990/206 Rev A, RDC 990/205 Rev A, RDC 990/204 Rev A, RDC 990/203 Rev B, RDC 990/201 Rev B, RDC 990/200 Rev B.
3. No development shall start on site until all materials to be used in the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.
4. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.
5. The gradient of the access drive shall not exceed 1:12 for the first 5 metres behind the highway boundary.
6. Any shared private drive serving more than 5 but no more than 25 dwellings shall be a minimum of 4.8 metres wide for at least the first 5 metres behind the highway boundary and have a drop crossing of a minimum size as shown in Figure DG20 of the 6CsDG at its junction with the adopted road carriageway. The access drive shall be provided before any dwelling hereby permitted is first occupied and shall thereafter be permanently so maintained.  
NOTE: If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

7. Before first use of the development hereby permitted the access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.
8. 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 including private access drives, and thereafter shall be so maintained.
9. Before first use/occupation of the development/dwelling hereby permitted, turning facilities shall be provided, hard surfaced and made available for use within the site in order to allow vehicles to enter and leave in a forward direction. The turning area so provided shall not be obstructed and shall thereafter be permanently so maintained.
10. No development shall commence on the site until wheel cleansing facilities and construction vehicle parking facilities are provided within the site.
11. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development.
12. 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.
13. No development shall take place on site until details of existing and finished site levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such agreed details.
14. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995 as amended (or any Order revoking and re-enacting that Order) in respect of the dwelling hereby permitted no development as specified in Classes A, B, D \_ E shall be carried out unless planning permission has first been granted by the Local Planning Authority.
15. 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; 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.

**The reasons for the conditions are:**

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.

3. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
4. To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic, including pedestrians, in the public highway.
5. To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety.
6. To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway.
7. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)
8. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to highway users.
9. To enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users.
10. 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.
11. To ensure satisfactory landscaping is provided within a reasonable period.
12. To provide a reasonable period for the replacement of any planting.
13. To safeguard the local environment by ensuring an appropriate relationship to adjoining land uses.
14. To enable the Local Planning Authority to retain control over future extensions in view of the form and density of the development proposed.
15. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site

Officer to contact: **Mrs J Wallis**

**Date: 6th July 2015**