

**Reference:** 10/00414/FUL  
**Date submitted:** 27.05.2010  
**Applicant:** Mr P Sutton - Merriman Limited  
**Location:** Langham House, 1 The Green, Old Dalby  
**Proposal:** Erection of three detached houses and associated parking

**Proposal :-**

Full planning permission is sought for the erection of three detached dwellings and new driveway on land to the rear of Langham House, 1 The Green, Old Dalby. The application site measures approximately 0.02 hectares in area and lies within both the village envelope and conservation area for Old Dalby. The site currently comprises an undulating paddock located in a dip to the rear of Langham House. It is well screened by mature trees and hedgerows and is only partially visible from the village green and Main Road, although more distant views are available from Wood Hill. To the north-west is Langham House and a small cottage in its grounds, to the north-east are dwellings on Church Lane, to the south-east is residential accommodation converted from former farm buildings and to the south-west the site adjoins open fields on the rising ground of Wood Hill.

This is a duplicate application to 09/00440/FUL, which was refused at Planning Committee on 3 September 2009, and subsequently considered at appeal (withdrawn).

The application is required to be presented to the Committee due to the site history.

**Relevant History:-**

09/00440/FUL - erection of 3 detached dwellings was refused planning permission on 4 September 2009. The reason for refusal was as follows:-

“In the opinion of the Local Planning Authority the proposed type and mix of housing proposed does not address the imbalance of stock type and size of dwellings required to reflect the housing needs of the area. The Housing Stock Analysis conducted in 2006 and the Leicester and Leicestershire Strategic Housing Market Assessment 2007/8 clearly demonstrates that there is a surplus of larger private market homes and a significant lack of smaller sized properties within Melton Borough and the rural west of the borough in particular. Accordingly the proposal fails to create a sustainable and balanced housing market and is therefore considered to be contrary to PPS3 and the Melton LDF Core Strategy (Preferred Options)”.

10/00002/REF – Appeal lodge in relation to refusal of permission 09/00440/FUL – withdrawn 28 May 2010.

09/00751 – erection of 3 dwellings and associated parking – application withdrawn.

07/00564 - erection of 3 detached dwellings was granted planning permission on 1 August 2007.

04/00582 - erection of 3 detached dwellings was refused planning permission on 31 August 2004. The reason for refusal was as follows:-

"The proposed development, by virtue of its form and layout, would fail to harmonise with the surrounding form of development and would fail to preserve or enhance the character Old

Dalby Conservation Area, within which it is located. The proposed development would therefore be contrary to policies OS1, BE1 and BE2 of the adopted Melton Local Plan".

The application was subsequently dismissed at appeal on the grounds of the impact of the development on 4 Church Lane. The Inspector also raised the issue of sustainability and the need to appraise the site in light of PPG3 and PPS1.

02/00706 - extension to Langham House with detached double garage was granted planning permission on 16 January 2003.

94/00247 - erection of one single storey dwelling was granted planning permission on 29 June 1994.

89/00712 - erection of 3 low cost houses and a single storey dwelling was refused planning permission on 31 October 1989 and subsequent appeal APP/Y2430/A/90/053953/P7 was dismissed with regard to the 3 low cost houses outside the village envelope but allowed permission for the erection of one single storey dwelling.

87/00328 - erection of one dwelling and access was refused planning permission on 23 June 1987 and subsequent appeal APP/Y2430/A/87/082930/P3 was dismissed.

### **Planning Policies:-**

**PPS 3 - Housing:** the planning system should deliver a flexible, responsive supply of land - which makes efficient and effective use of land, including re-use of previously-developed land. It supports the efficient use of previously developed sites (brownfield). It promotes designs and layouts which make efficient and effective use of land, encouraging innovative approaches. 30 dwellings per hectare (dph) net should be a national indicative minimum to guide decision-making. Density of existing development should not dictate new housing. It emphasises the need for good quality design contributing to the distinctiveness of settlements and for new housing to contribute to a balanced housing mix meeting identified needs

**PPS 7 - Sustainable Development in Rural Areas** - states that many country towns and villages are of considerable historic and architectural value, or make an important contribution to local countryside character. Planning authorities should ensure that development respects and, where possible, enhances these particular qualities. It should also contribute to a sense of local identity and regional diversity and be of an appropriate design and scale for its location, having regard to the policies on design contained in PPS1 and supported in 'By Design'.

**PPG 13 - Transport:** states that; 'to promote more sustainable patterns of development and make better use of previously developed land, the focus of additional housing should be existing town and cities'

**PPS 5 – Planning and the Historic Environment** – development should preserve or enhance the character and appearance of heritage assets.

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

Policies OS1 and BE1 allow for development within Town Envelopes providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

Policy H6 - residential development within village envelopes will be confined to small groups of dwellings, single plots or the change of use of existing buildings.

**Melton LDF Core Strategy:** seeks to focus development in Melton Mowbray with a small balance (20%) in the surrounding Borough, with provision/contribution of 40% affordable housing from all developments, and expectations to produce mixed, integrated housing developments and meet local needs by addressing identified imbalances in housing stock in all locations. Identifies villages by virtue of a hierarchy reflecting their sustainability and, therefore, suitability for development.

**Consultations:-**

Consultation reply	Assessment of Head of Regulatory Services
<p><b>Highways Authority</b> – Comments as per previous applications. No objection to the proposal subject to the imposition of conditions</p>	<p>Noted.</p>
<p><b>Parish Council</b> – No reply within consultation period</p>	<p>Noted. Any comments received will be reported verbally</p>
<p><b>Conservation Officer</b> –</p> <p>This site already benefits from consent for 3 detached dwellings .</p> <p>The current proposal is also for 3 detached dwellings and similarly to the previous consent, the proposed houses will be :-</p> <ul style="list-style-type: none"> <li>• built in a dip to reduce their impact (although plot 1 will be partially visible through the gap beyond Langham House);</li> <li>• screened for the most part by both mature tree cover and Langham House and its outbuildings;</li> <li>• built in natural materials which will respect the local vernacular</li> <li>• similar) in design terms, ie: integral garages, dormer windows etc;</li> <li>• will have no adverse effect on the setting of the nearby listed Church</li> </ul> <p>However the proposed dwellings, although of an improved design, are considerably larger than those approved and hence occupy a greater proportion of the available site area. In that regard Plot 1 in particular is sited very close to the cottage building associated with Langham House and would have an overbearing effect upon it.</p> <p>The proposed layout has an overcrowding effect which is in direct contrast to the more open nature of this part of the Conservation Area. which is typified by houses within reasonably large plots. The outstanding consent is therefore more appropriate in those terms.</p> <p>Suggest that two dwellings of the size proposed would be preferable to three within the confines of the site thus resulting in a more open layout, and a reasonable distance maintained between existing buildings and proposed.</p>	<p>The three dwellings are located in a linear form set parallel to the western boundary of the site and are in broadly the same location as the extant permission.</p> <p>The proposal is considered to complement the character of the surrounding area in terms of the design and traditional materials proposed. The dwellings are considered to represent an improvement to the design of the previously approved dwellings.</p> <p>As referred to in more detail below the siting of the dwellings conform to normally expected separation standards and ensure no adverse impact on residential amenities and the proposed site still allows a large garden area for Langham House whilst also providing generous garden areas for the proposed dwellings.</p> <p>The site is well screened and is only likely to be glimpsed from the street scene. The roof-scape will be important and the use of appropriate materials for the Conservation Area will be required. It is therefore not considered that the cramped form of development would be detrimental to the character of the village and will not harm (and therefore preserves) the character of the Conservation Area and the setting of Listed Buildings</p> <p>It is not considered that two large dwellings on this site would meet the principles of efficient use of land set out in PPS 3.</p>

<p>The current proposals are identical to those previously submitted and therefore in conservation terms these comments remain relevant.</p>	
<p><b>LCC Archaeology</b> - and do not feel that any archaeological work is required as part of the scheme as the site has already been subject to archaeological investigation</p>	<p>Noted.</p>
<p><b>LCC Ecology</b> – (Comments taken from previous application) Records show that there are two recorded bat roosts 120m from the application site. Therefore, recommend that, if any of the trees on-site are to be felled or worked on and they are covered in ivy or have cracks and hollows, they should be surveyed by a licensed bat worker prior to works taking place.</p> <p>If works to trees are scheduled, we recommend that the work is undertaken outside of the bird-breeding season (March – end of August), unless a suitably experienced ecologist can demonstrate that no nesting birds are present.</p> <p>Maps show that this application will have no impact on any designated sites of ecological importance</p>	<p>Noted – can be covered by a note to applicant</p>
<p><b>Environmental Health</b> - with regard to the Phase 2 Geo-Environmental Assessment prepared by OPUS Joynes Pike Ltd., dated 1 August 2008 and submitted in support of the application.</p> <p>It is usual that such information is provided in order to demonstrate compliance with conditions attached to an application which has already been granted.</p> <p>In this case it is advised that the report together with the Recommended Further Works, outlined in Part 9, be accepted as a means of demonstrating that appropriate measures are implemented in order to prevent any threat from Contaminated Land and in the event of the application being successful appropriate conditions are applied in accordance with the attached model conditions. In due course appropriate validation should be provided.</p>	<p>Noted – can be covered by a note to applicant and conditioned</p>
<p><b>Environment Agency-</b> (Previous comments) - The Agency has no objections to the proposed development as submitted.</p>	<p>Noted</p>
<p><b>Housing Policy Officer</b> – (Previous Comments) The current application, follows the withdrawal of application 08/00751/FUL due to objections on the grounds of poor housing mix and a recommendation of refusal on this basis. The current application still proposes three large, 4 bed dwellings; however, it has marginally reduced the scale of the dwelling on plot 2, proposes to</p>	<p>PPS3 specifically states that “Developers should bring forward proposals for market housing which reflect demand and the profile of households requiring market housing, in order to sustain mixed Communities” In relation to market housing PPS3 states that “One of the Government’s key objectives is to provide a</p>

<p>incorporate Lifetime Homes Standards into the design and has provided additional information in relation to the viability of the scheme.</p> <p>The applicant indicated a willingness to adopt Lifetime Homes Standards; however the original plans submitted failed to comply with Lifetime Homes Standards and the application could not be supported.</p> <p>Subsequently revised plans have been submitted, an examination of which indicates that they now meet Lifetime Homes Standards. On this basis, whilst the housing does not meet need it is considered an acceptable compromise to accommodate the viability issues of this specific development and the proposal can be supported in this instance.</p> <p>There is no objection to the application on the grounds that Lifetime Homes Standards are adopted. To ensure that these standards are met a condition should be imposed requiring the dwellings be constructed to the Standard for example:-</p> <p><i>The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter retained to those standards.</i></p> <p><i>REASON: To produce flexible, accessible and adaptable homes appropriate to diverse and changing needs.</i></p>	<p>variety of high quality market housing. This includes addressing any shortfalls in the supply of market housing and encouraging the managed replacement of housing, where appropriate. Local Planning Authorities should plan for the full range of market housing. In particular, they should take account of the need to deliver low-cost market housing as part of the housing mix”</p> <p>In order to address the currently identified imbalance (there is an over-supply of executive type housing in the District), the Council has resisted developments of solely large dwellings (including the previous application on this site which went to appeal, but has subsequently been withdrawn) and this is also the approach advocated in the LDF Core Strategy, although recent appeal decisions have cast doubt whether this can be relied upon to guide development, because of the stage in its progression it has reached.</p> <p>It is agreed that the development is not viable in the current market conditions; it would become viable again only if the market recovered to above May 2008 levels. It is speculative as to when this would happen, but reasonable to assume, given that there are currently poor signs of recovery that this would not occur in the immediate future and consequently it is not viable to go ahead with the development. However, the price that the land was purchased for in 2008 does raise issues which the Council should consider in relation to the overall strength of the argument in relation to viability.</p> <p>The Housing Policy Officer has suggested a middle ground position whereby larger dwellings could be more favourably considered if one of the three dwellings was of a scale more in keeping with the original proposal, and the scheme incorporated Lifetime Home Standards. This would ensure that they would meet other aspects of long term housing mix requirements (primarily making them more sustainable and adaptable in the longer term to the aging population of the Melton borough).</p> <p>In response to this the applicant has reduced the overall size of plot 2 from 197sqm of floor space to 171 sqm and has submitted amended plans incorporating lifetime homes standards. These standards require properties to meet a list of criteria including adequate width and access to car parking, suitable external entrances, size of rooms and doorways and location of fixtures and fittings. This ensures that dwellings provide accessible and adaptable accommodation for everyone, from young families to older people and individuals with a temporary or permanent</p>
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	<p>physical impairment and as such generate a valuable contribution to meeting housing needs as they evolve.</p> <p>On this basis, whilst it is recognised that the proposal does not fully meet identified housing need in terms of <i>current</i> demand for house size, it is considered that the incorporation of lifetime homes standards ensures that the dwellings are appropriate to meet anticipated <i>future</i> needs.</p> <p>This presents a judgement whether the merits of such a form of accommodation are sufficient to depart from the form of housing that would ideally be secured. Policy at all levels (see above) encourages development to meet identified needs but this is not qualified in terms of timetables (i.e. current or future). It is considered that, particularly in view of the limited reliance that can be placed on the Core Strategy, there is no strong basis on which the houses proposed could be identified as contrary to these objectives and the proposal provides an acceptable compromise to accommodate the viability issues of this specific development. Accordingly the proposal is considered, on the balance of the issues, acceptable in this instance.</p> <p>This is the view that Members discussed when the appeal was considered at Committee on 29 April 2010.</p>
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**Representations:**

A site notice was posted and neighbouring properties consulted. As a result 3 letters representing 3 residents have been received, objecting to the application on the following grounds:

Representations	Assessment of Head of Regulatory Services
<p>The plot of land in question is not of an adequate size for 3 detached homes, their associated families and parking for a probable 6 cars</p> <p>The planned homes are not in keeping with their surroundings, they look too modern and will be seriously incongruous in this part of the village</p> <p>Access will be dangerous, especially in winter</p> <p>Access will be a hazard as it is on the inside of a bend, will increase traffic in 2 directions and is</p>	<p>The three dwellings are located in a linear form set parallel to the western boundary of the site and are in broadly the same location as the extant permission.</p> <p>The proposal is considered to complement the character of the surrounding area in terms of the design and traditional materials proposed. The dwellings are considered to represent an improvement to the design of the previously approved dwellings.</p> <p>In the appeal decision the Inspector made reference to the character of the area as 'comprising predominantly relatively large two storey houses arranged informally with complex roof designs' The present proposal is considered to complement this character.</p> <p>The access arrangements are unchanged from the extant permission and the Highway Authority raises no objections.</p>

<p>close to a junction. There have been accidents in the area</p> <p>In addition the contractor/works vehicles will spill out onto the village green area due to the lack of space on the plot and cause traffic and parking problems during the build and the entrance to the site is close to a dangerous blind bend in the road. The immediate area already has an ongoing construction project (1 house) that has caused over 2 years of noise and traffic disruption, an additional source of this aggravation is most unwelcome</p> <p>The site is not within a 'gap' as the need for a new road demonstrates, and it will extend the boundary of the village and there is no 'need' to enlarge the village</p> <p>Site would make an excellent pony paddock or orchard for domestic purposes, and the under-utilisation of the site in the application documents, must refer to the revenue expected by the owners</p> <p>Will result in a loss of privacy for Langham House as its open space will be on view and noise will be intrusive</p> <p>Will reduce haven for wildlife as new planting will take 10 years to mature, the green space and quiet areas will be lost and the planting is aimed at reducing privacy rather than being for wildlife</p> <p>There will be a loss of 3 parking spaces and current area is used by Langham House</p> <p>Will reduce area for drying clothes and moving rotary drier will impede access to the cottage</p> <p>Will result in a loss of light and cause shadowing</p> <p>We have no front access and pedestrian access is at the side where the access is and the new dwellings will be dangerous for pedestrian.</p>	<p>Contractors have a duty of care and dangerous parking is an offence that can be controlled.</p> <p>The development is a small scale proposal that complies with Policy and falls within (and does not extend) the village envelope.</p> <p>Planning permission already exists – this is merely a change of house-types. The viability of the proposal has been discussed above.</p> <p>Planning permission already exists – this is merely a change of house-types. The impact on Langham House is unchanged.</p> <p>Planning permission already exists – this is merely a change of house-types. The impact on wildlife is unchanged. The planting proposals are considered appropriate. Ecology has been taken in to account.</p> <p>Planning permission already exists – this is merely a change of house-types. The impact on parking for Langham House is unchanged.</p> <p>Planning permission already exists – this is merely a change of house-types. The impact on access to the cottage is unchanged.</p> <p>Planning permission already exists – this is merely a change of house-types. The impact on light to Langham House is unchanged.</p> <p>Planning permission already exists – this is merely a change of house-types. The impact on pedestrian access for Langham House is unchanged.</p>
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**Other material considerations (not raised through consultation or representation)**

<p><b>Application of Development Plan and other planning policy.</b></p>	<p>The application site is situated within the village envelope of Old Dalby where generally a presumption in favour of new development exists as set out in Policy OS1 of the adopted Melton Local Plan. However, this policy is subject to</p>
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<p><b>Density of development</b></p>	<p>criteria which have to be satisfied, including the development being in keeping with the locality and not adversely affecting the form, character and appearance of the settlement. An assessment on these matters is made below.</p> <p>Planning Policy Statement 3 - Housing gives advice on a sequential approach to identifying housing sites when preparing Development Plans. It states that the location of new development should follow a sequential approach so that it meets housing requirements in the most sustainable way. A search sequence should be followed starting with the re-use of previously developed land in urban areas, then urban extensions and finally new development around nodes in good public transport corridors. It is recognised that development may also be needed outside such areas, depending on the overall need for housing in the area, however, in such cases the most sustainable option should be utilised as set out in Planning Policy Statement 1. The criteria include: availability of previously developed sites, location and accessibility to jobs, shops, services, capacity of existing infrastructure, ability to build communities and physical and environmental constraints of the land. The appeal decision on the site in 2005 highlighted the need to examine the impact of PPS3 and PPS1 on development in settlements such as Old Dalby. Old Dalby has a number of community facilities. There is a primary school, a village hall, a sub post office and general store and a pub as well as a number of mobile services and on this basis Old Dalby has been identified as 'category 2', capable of supporting infill development. It is therefore considered that the proposed development meets the sustainability criteria set out above. There are other examples of permission being granted in Old Dalby since the appeal decision on the basis it was sufficiently sustainable.</p> <p>PPS3 seeks greater intensity of development at locations with good transport accessibility to facilities and the guidance also seeks the efficient use of available housing sites.. In this instance Conservation Area considerations and the impact on neighbouring properties also needs to be taken into account. The site area has been increased slightly since the previous approval and the size of the dwellings has also been substantially increased from dwellings of 103sqm and 2 x 85sqm to 241sqm, 171sqm and 202sqm. The previous application which was refused at appeal had dwellings of 278sq m, 246sqm and 167 sqm. The dwellings currently proposed are therefore smaller than those considered by the Inspector. The density of the proposal is considered to be appropriate</p>
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<p><b>No affordable housing is proposed</b></p>	<p>The previous approval of three dwellings fell below the threshold for requiring affordable housing at that time and is still intact as a 'fallback' position, and the current applications seeks only to amend their design. Accordingly it is not considered reasonable to seek affordable housing on this application as an extant permission for 3 dwellings already exists.</p>
<p><b>Character and Appearance of Area</b></p>	<p>The site is situated to the rear of Langham House in an area that is currently an undeveloped paddock. The site does not front onto any roads and is well screened from public view with only glimpses currently available.</p> <p>The proposed site still allows a large garden area for Langham House whilst also providing generous garden areas for the proposed dwellings. It is therefore not considered that the proposal would lead to a form of development detrimental to the character of the village.</p> <p>The site is surrounded on 3 sides by dwellings and therefore development of the site would involve in-filling, rather than extending, beyond the existing confines of the village. Although in previous decisions on this site the open land to the south-west of the village has been regarded as important to the rural setting and character of Old Dalby, the lower slopes are not prominent in the views seen when descending Wood Hill and the existing and proposed screening on the south west boundary of the site will soften the views of the dwellings, in addition to maintaining the contribution made by the trees. It is therefore considered that the site will be seen against the backdrop of the existing village rather than encroaching into the open countryside.</p> <p>The site is not designated as a Protected Open Area in the Local Plan and the value of its' undeveloped nature and contribution to the surrounding area was examined in the appeal in 2005. The Inspector concluded that the site did not make a vital contribution and explained he was "satisfied that in order to maintain the form of the settlement and the character of the Conservation Area, it is not necessary that this site is kept open and that no important (public) views in the Conservation Area would be prejudiced by the proposed houses....Although some residents may prefer to see one bungalow on the site, this would not, in my view, be more likely to enhance the character and appearance of the Conservation Area." Accordingly, it is considered that the value of the open nature of the site has been assessed and tested on appeal, and it has been determined not to be so valuable as to merit retention in its current undeveloped form.</p>

<p><b>Layout and Design</b></p>	<p>The proposed development comprises of 3 four bedroom detached dwellings which are similar in size and scale to those considered (and refused) by the Inspector. The dwellings have a variety of ridge heights and designs with the maximum ridge height being 7.8 metres. The door and fenestration details along with the use of dormer windows and a blend of local materials ensure that the overall development harmonises with local village architecture. In terms of layout the dwellings are positioned in a linear layout in a similar location and with similar spacing to the previous approval. There are limited views into the site and the buildings are detached. It is therefore not considered that they would detract from the appearance of the area. Accordingly it is considered that the proposal would preserve the character and appearance of the Conservation Area and therefore satisfies the policies of the Local Plan.</p>
<p><b>Impact on residential amenity</b></p>	<p>The three dwellings are located in a linear form set parallel to the western boundary of the site. There is a separation distance of 18 metres from the front elevation of plot 3 to the north east boundary of the site with a total separation distance of 32 metres to the rear of the bungalow at 4 Church Lane (reducing to 24 metres from the forward projecting garage). The layout therefore complies with the separation standards normally accepted with regard to the relationship to existing neighbouring properties and the provision of suitable boundary treatment would also ensure that the privacy of all occupants would be protected to within acceptable levels.</p> <p>A section has also been submitted through the site on a north-south axis to demonstrate the effect of the proposal in relation to the change in ground levels. This shows the extent that the dwellings will be dug into the site compared to its existing levels, to ensure that the ridge heights remain as low as possible and compare favourably with Langham House and the associated cottage to the north west of the site. To the north east the site is on slightly raised ground compared to 4 Church Lane, however the separation distance is considered sufficient to overcome any concerns previously expressed regarding an overbearing and oppressive impact on this bungalow.</p> <p>The access, which would serve the proposed dwellings as well as Langham House, and the associated cottage (if it were separated), runs approximately 1.5 metres from the gable of 2 Church Lane. The only windows in this elevation are two obscure glazed ground floor windows. The Inspector in the appeal decision in 1989 concluded that 'I do not consider that the amount of traffic likely to be generated by the proposal, together with that going to and from Langham</p>

	<p>House, would be likely to disturb or invade the privacy of the occupiers of the neighbouring dwelling to an unacceptable degree.' The siting of the proposed access also allows a suitable depth of screening to be provided along each side of the access road, therefore mitigating this concern.</p> <p>It is therefore considered that the proposed dwellings have now been designed to safeguard the residential amenities of neighbouring properties.</p>
<p><b>Access and Parking</b></p>	<p>The proposal involves the widening of the existing access that currently serves Langham House. The access drive is to be extended to serve the proposed dwellings with a single point of access and associated parking arrangements. The proposed access and parking arrangements are considered to be acceptable by the Highway Authority, who has raised no objections to the proposal. The Inspector also concluded that visibility is sufficient for 3 dwellings and would not jeopardise highway safety. Accordingly it is considered that the proposal cannot be refused on this basis.</p>

**Conclusion**

The site lies within the village envelope and is therefore in a location which benefits from a presumption in favour of development under policies OS1 and BE1. Residential development has been agreed in principle with approval of application 07/00564/FUL for 3 three bedroom dwellings. It is considered that the design of the dwellings have been well considered to respect the adjacent buildings and the Conservation Area setting and the layout allows the retention of the most prominent trees. The proposed dwellings respect the existing site contours and the ridge heights are in keeping with the neighbouring properties. The separation distances between the single storey properties on Church Lane have been increased and therefore overcome the previous concerns. The proposed access and parking arrangements are considered acceptable and the dwellings are set well back from the road and therefore it is considered that the dwellings will be barely seen from beyond the site confines.

It is recognised that the development would bring marginal benefits in terms of improved house designs. However, this should be balanced against other planning objectives. One such objective is the balancing of local housing supply in order to meet identified needs. Whilst it is recognised that the proposal does not meet current housing need in terms of house size, it is considered that the incorporation of lifetime homes standards ensures that the dwellings are appropriate to meet longer term housing requirements and as such would make a positive, if not ideal, contribution to overall housing supply. Accordingly it is considered that there are insufficient grounds to recommend refusal on this basis.

**RECOMMENDATION: Permit subject to the following conditions:-**

- 1 The development shall be begun before the expiration of three years from the date of this permission.
- 2 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.
- 3 The landscaping scheme shall be implemented in accordance with the submitted plans (Dwg Ref Dalby/CB/005-1 Rev A, Dalby/CB/005-2, 704/1 Rev A, 04.1854.19 Rev D, 04.1854.20

Rev A, 04.1854.21 Rev A, 04.1854.22 Rev B and 04.1854.23 Rev A) unless otherwise agreed in writing by the local planning authority.

- 4 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.
- 5 No development shall commence on site until provision has been made for the satisfactory disposal of foul and surface water from the site in accordance with a scheme which shall first have been submitted to and approved by the Local Planning Authority.
- 6 The proposed development shall be carried out strictly in accordance with the submitted plans.
- 7 The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter retained to those standards.
- 8 No dwelling hereby permitted shall be occupied until such time as a footway has been constructed from the site entrance along The Green to connect to the existing footway facilities to the east of the site. The footway shall be designed and constructed in accordance with Highway Authority standards, the details of which shall first have been submitted to and approved by the local planning authority in consultation with the highway authority.
- 9 No building works shall commence on site until such time as the proposed visibility splay of 2.4 metres by the maximum available within the site frontage has been provided out of the site access on to The Green, and shall be provided in accordance with current standards, and once provided shall thereafter be permanently so maintained. The details of how the visibility splays are to be provided shall first have been submitted to and approved by the local planning authority in consultation with the highway authority.
- 10 No dwelling shall be occupied until such time as the existing vehicular access has been widened to a minimum width of 4.25 metres with 0.5 metre wide clear margins on each side and has been surfaced in tarmacadam, concrete or other similar hardbound material for a minimum distance of 7 metres behind the highway boundary. At its junction with The Green the widened access shall have minimum entry and exit radii of 4 metres. Once completed the access shall thereafter be permanently so maintained.
- 11 Before first use of the development hereby permitted, the existing gates to the vehicular access shall be removed. Any new vehicular access gates, barriers, bollards, chains or other such obstructions erected shall be set back a minimum distance of 7 metres behind the Highway boundary and shall be hung so as to open inwards only.
- 12 The proposed shared turning area shall be provided, made available for use and hard surfaced before any dwelling hereby permitted is first occupied and shall thereafter be permanently so maintained.
- 13 For the period of the construction of the development within the site, vehicle wheel cleansing facilities shall be provided within the site and all vehicles exiting the site shall have all tyres and wheels cleaned, as may be necessary, before entering the Highway.
- 14 For the period of the construction of the development, vehicle parking facilities shall be provided within the site and all vehicles associated with the development shall be parked within the site.
- 15 The car parking facilities shown within the curtilage of each dwelling shall be provided before that dwelling is occupied and shall thereafter permanently remain available for such use.

16 Before first use of the development hereby permitted, 2.0 metre by 2.0 metre pedestrian visibility splays shall be provided on the Highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above ground level, in accordance with the current standards of the Highway Authority and shall be so maintained in perpetuity.

17 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- i) all previous uses
- ii) potential contaminants associated with those uses
- iii) a conceptual model of the site indicating sources, pathways and receptors
- iv) potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

**Reasons :-**

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted
- 3 To ensure satisfactory landscaping is provided within a reasonable period.
- 4 To provide a reasonable period for the replacement of any planting.
- 5 To ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
- 6 For the avoidance of doubt.
- 7 To produce flexible, accessible and adaptable homes appropriate to diverse and changing needs
- 8 In the interests of pedestrian safety
- 9 To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.
- 10 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.
- 11 To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway.

- 12 To enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users.
- 13 To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard for road users.
- 14 To ensure that adequate off-street parking provision is made to reduce the possibilities of development of the site leading to on-street parking problems in the area during construction.
- 15 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.
- 16 In the interests of pedestrian safety.
- 17 To safeguard future occupiers from the potential impact of contaminated land.

Officer to contact:

**Mr R. Forrester**

**9 July 2010**