

- 1.1 This application seeks full planning permission for the demolition of the existing metal clad barn and the 2no. existing dwellings located off The Green Stathern and their replacement with 3no. new dwellings. The proposed two storey dwelling would be a 3 bed property and the two single storey properties are shown as 2 bed properties, although both have studies shown as one of the rooms.
- 1.2 The application site comprises approximately 1,730 square metres and sits on the location of the existing barn and dwelling with existing dwellings adjoining the site to the south, south west and north west. Open countryside lies to the east and levels rise from The Green up through the site to the east.
- 1.3 The application site lies partly within the Conservation Area of Stathern and the surrounding built form comprises a varied mix of property types, ages and designs with a recently completed development sited to the north west.
- 1.4 Access would be off The Green, existing hedgerow retained and a new hedgerow proposed surrounding the development.
- 1.5 There is a relevant planning history on the site. The original application comprised a development of 9 dwellings which extended significantly into the wider site beyond the existing built form. This previous application was refused and upheld at appeal (planning application 19/00741/FUL).
- 1.6 More recently, two planning applications were submitted concurrently for a reduced development of 2 and 3 dwellings respectively. Both applications covered a greater portion of the site than (planning applications 21/00037/FUL & 21/00038/FUL). The application for 2 dwellings was refused due to the cramped nature of the development and the siting, scale and overall design of the development. The application for 3 dwellings was also refused due to the development being urban in nature, not sympathetic to the site surroundings and was considered to fail to successfully integrate into the edge of the village.
- 1.7 This application proposes a reduced development of 3 dwellings on a site which is predominantly within the context of the existing buildings and built form on the site. One dwelling would be located on the position of the existing barn and two would be located in a similar position as the existing dwellings.

RECOMMENDATION(S)

1. it is recommended that the Planning application is approved subject to the conditions set out in Appendix C.
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2 Reason for Recommendations

- 2.1 The proposal would represent a sustainable form of small scale residential development that would be considered acceptable under the provisions of Policies SS1 and SS2 of the Melton Local Plan.
- 2.2 The proposal would result in a form of development that would be sympathetic to the character of the locality and conservation area by virtue of its appearance, design, layout and scale and would not compromise residential amenity or be prejudicial to highway safety. The development would also raise no significant, adverse impact on ecology or archaeology grounds that would warrant refusal. For these reasons, the proposal overall when considering the Development Plan and other material considerations is considered to comply with the relevant policies of the Melton Local Plan, and the National Planning

Policy Framework, and no harm is considered to arise following the giving of special attention to avoiding harm to heritage assets required by s66 and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is considered that the degree of conflict with the emerging Stathern Neighbourhood Plan is insufficient grounds to outweigh the position in respect of the Development plan and the other material considerations that weigh in favour of the application. .

3 Key Factors

3.1 Reason for Committee Determination

- 3.1.1 This application is required to be presented to the Committee due to receiving more than 10 letters of objection contrary to the recommendation.
- 3.1.2 One of the Ward Members has also requested that the application be determined by Planning Committee which has been accepted by the Chair.

3.2 Relevant Policies

- 3.2.1 The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and is the Development Plan for the area.
- 3.2.2 No inconsistency with the NPPF has been identified that would render Local Plan policies 'out of date'.
- 3.2.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting, to have special regard to the desirability of preserving the listed building's setting and any features of special architectural and historic interest which it possesses. Section 72 of the Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 3.2.4 There is no 'made' Neighbourhood Plan for the area. The draft Stathern Neighbourhood Plan is currently subject to Examination, with Referendum to follow and therefore weight can be attributed to this in the determination of this application. This is addressed in greater detail below.
- 3.2.5 Please see appendix E for a list of all applicable policies.

3.3 Main Issues

- 3.4 The main issues for this application are considered to be;
- Position under the Development Plan Policies.
 - Principle of development, Impact upon the character of the area and heritage assets
 - Impact upon residential amenities
 - Impact upon highways and parking
 - Impact on ecology
 - Impact on archaeology
 - Impact on flood risk/drainage

4 Report Detail

4.1 Position under the Development Plan Policies

- 4.1.1 The site lies on the edge of the village of Stathern. Stathern is defined as a Service Centre within the Melton Local Plan and therefore Policies SS1-SS2 apply. These two policies

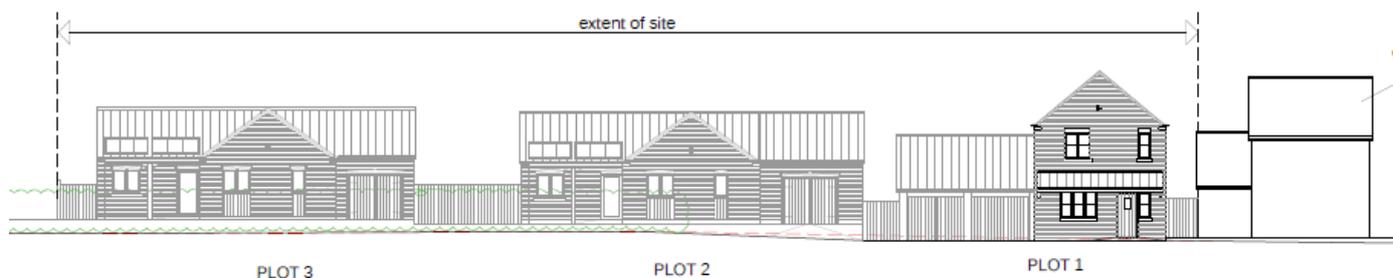
reflect the presumption in favour of sustainable development within the National Planning Policy Framework (NPPF) and sets out the strategy of delivering housing across Melton Borough through identifying the most suitable locations for new housing within a settlement hierarchy, devised from sustainability 'credentials'.

- 4.1.2 Windfall sites are an important element of housing supply and calculations on the likely amount of windfall housing as a realistic proportion of overall delivery is estimated through the Local Plan process but there is no ceiling for windfall housing provision .
- 4.1.3 The PPG states that an emerging neighbourhood plan is likely to be a material consideration and paragraph 48 of the NPPF sets out that weight may be given to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- and
- c) the degree of consistency of the relevant policies in the emerging plan to the NPPF
- 4.1.4 The emerging Stathern Neighbourhood plan is at Examination stage and as such is well advanced in terms of its progression. However, the policies applicable to this application are contested in representations and will form part of the Examiner's adjudication. The Neighbourhood Plan policies are therefore considered to be a material consideration that attracts moderate weight under the above guidance.
- 4.2 **Principle of Development**
- 4.2.1 The site is on the edge of the settlement of Stathern where Policies SS1-SS2 apply. Stathern is defined as a Service Centre within the Melton Local Plan
- 4.2.2 Policy SS2 provides support to sustainable development within Service Centres and Rural Hubs: i.e. that housing needs will be met by 'planning positively for the development of sites allocated within and adjoining the Service Centres and Rural Hubs by 2036, and by encouraging small scale residential development where it would represent sustainable development under Policy SS1 above or would enhance the sustainability of the community in accordance with Policy SS3'.
- 4.2.3 Policy SS2 is therefore applicable for small scale development in Service Centres and Rural Hubs and Policy SS3 provides a further opportunity for small scale development in Rural Settlements only. Policy SS3 is therefore not considered to be applicable to this application.
- 4.2.4 The supporting text in the Local Plan states that for windfall sites, schemes of up to about 10 dwellings may be appropriate within or on the edge of Service Centres, schemes of up to about 5 dwellings for Rural Hubs, and schemes of up to about 3 dwellings for Rural Settlements.
- 4.2.5 Neither the NPPF nor Local Plan seek to place a limit on development quantities and each application must be considered on its own merits. Within the glossary of the NPPF, 'windfall' sites are defined as 'Sites not specifically identified in the development plan'.
- 4.2.6 This development would result in the erection of 3 dwellings (net 1 additional following the demolition of two existing on the site) and is sited on the edge of a Service Centre.

- 4.2.7 It is for these reasons that the proposal is considered to fall under the provisions of small scale development subject to satisfying all other material planning considerations.
- 4.2.8 The emerging Stathern Neighbourhood Plan proposed a defined Limits to Development and associated policy which restricts development outside its delineation. This site is predominantly within the limits to development, save for a small proportion of the rear garden of each plot and the very northern edge of plot 3 being outside. Therefore the proposal would not wholly satisfy this policy (Policy H1) and as such this is a consideration that needs to be weighed when assessing the proposal.
- 4.2.9 Similarly the proposal is considered to relate to or be contiguous with Tofts Hill which is located to the east. Neighbourhood Plan policy CFA4 relates specifically to Tofts Hill and its immediate environment and seeks to protect it as a valued natural asset by resisting development on, or alongside, Tofts Hill. For the same reason this is a consideration that needs to be weighed when assessing the proposal.

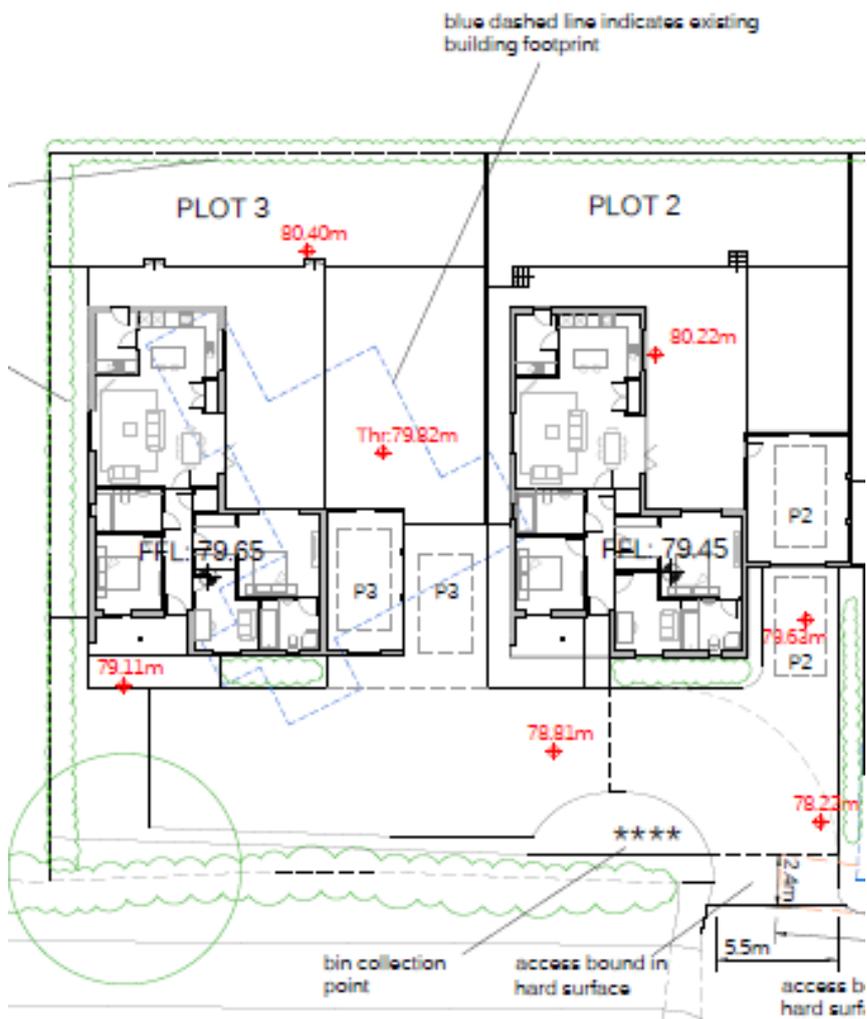
4.3 Impact upon the character of the area

- 4.3.1 The land currently comprises two semi detached dwellings and a redundant agricultural barn. The application site is neither public open space nor is it identified as an important green space and the agricultural land is not of high quality status. However as referred to above, the site could be considered to be contiguous with Tofts Hill which is located to the east of which emerging Neighbourhood Plan policy CFA4 specifically relates to.
- 4.3.2 In essence, it is proposed to replace the agricultural barn with one detached two storey dwelling and replace the existing two storey semi-detached dwellings with two single storey detached bungalows. The existing agricultural barn is both unsightly and prominent owing to its materials, position and condition, and its removal could be considered as an enhancement within the context of the surrounding area and Conservation Area within which this part of the site sits.
- 4.3.3 The proposed two storey dwelling would be sited level with and provide a continuation of the existing frontage along The Green and be of a design that responds to and considers the local vernacular of the surrounding properties. Thus it is considered that the development of one dwelling as proposed in the location of the existing barn is considered to overcome the previous reason for refusal for two cramped dwellings (reference 21/00037/FUL). The dwelling would be of a brick built design with specific design detailing to mirror that of surrounding properties. Overall it is considered that plot 1 would sit comfortably within the streetscene without appearing cramped or incongruous by virtue of its siting and continuation of the existing built form along The Green. The proposed street scene is provided here.



- 4.3.4 With respect to plots 2 and 3, these are proposed as single storey detached properties set slightly back into the site however due to the rising land levels would have a finished floor level slightly higher than the proposed plot 1. Notwithstanding this, the proposed plots 2

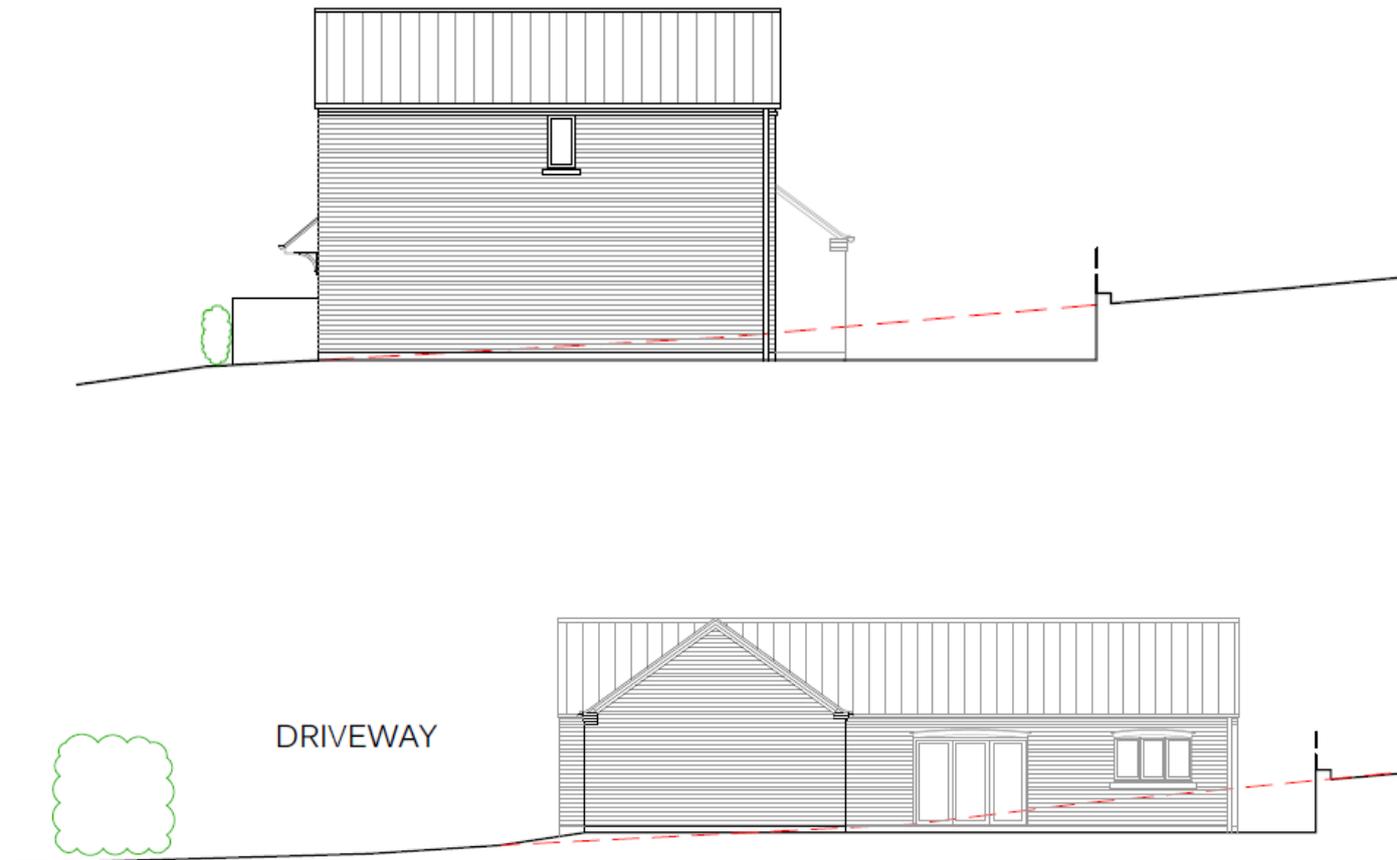
and 3 would be sited predominantly on the footprint of the existing two dwellings which are proposed to be replaced by virtue of this application. The plan below shows the existing footprint dashed onto to the proposed site plan.



- 4.3.5 As can be viewed on the above plan, the proposed dwellings would not project significantly further out (eastwards) than the existing dwelling on the site. Therefore whilst the proposal would bring a degree of formality to the site which is currently a haphazard collection of buildings, given the siting and scale of the proposal, it is not considered that the proposal would not result in harm to the character of the village, loss of any key feature or adversely affect 'gateway' views or long distance views.
- 4.3.6 In addition to this, the design of plots 2 and 3 are proposed to be of a rural nature, responding to the edge of village site with the introduction of timber boarding for example under the windows.
- 4.3.7 Further to this, similar to the existing barn which is to be removed, the existing pair of dwellings are currently in a poor condition with limited architectural detailing or any special vernacular. The removal of the dwellings could therefore be considered as an enhancement of the site and the Conservation Area with the replacement dwellings being of a much more suitable design and characteristic form of development for this edge of village site. Also the two replacement dwellings would be of a smaller scale and therefore potentially less dominant within the surrounding landscape than the existing nature of the site.

- 4.3.8 Important view 10 within Policy CFA4 of the emerging Neighbourhood Plan expands across the rear of the development site however it would be considered that the development, due to its siting and limited projection out into the wider field, would only be viewed in the context of the surrounding built form and would not appear unduly prominent within the wider landscape.
- 4.3.9 When viewing the development from The Green, eastwards towards the application site and Tofts Hill in the distance behind, currently open views are had on this rural, edge of village site. Whilst the introduction of the development would alter this character, views would still be evident through the development to the open countryside and Tofts Hill to the rear given the siting and scale of the development.
- 4.3.10 Overall, the development is considered to be of an appropriate scale and density to create a more 'porous' landscape edge and is considered to be well-integrated into the existing built form when considering the existing nature of the site. To ensure that development respects this landscape setting, a condition can be applied to any permission granted removing permitted development rights for roof extensions / alterations to the two bungalows proposed.
- 4.3.11 In addition, a new hedgerow is proposed surrounding the development where the proposal abuts the open countryside and in addition to the retention of the existing hedgerow is considered to suitably assimilate the development into the surrounding landscape.
- 4.3.12 The applicant has submitted a Landscape Visual Impact Assessment (LVIA) in support of the proposal. With particular to the experience of the landscape when travelling along The Green/ Birds Lane the submitted LVIA states the following:
- Views of the proposals for vehicular users of The Green are mostly prevented by the combined effects of built form and vegetation along rising landform between the site and the road corridor.
 - There will be full views towards the new properties replacing the existing houses and barns. proposed secondary access road into the site and the side elevations of Plots 1, 2 and to a lesser extent Plot 3, experienced by vehicular users travelling east along Birds Lane.
 - Views will be filtered along the road corridor and seen beyond construction fencing associated with the adjacent development currently under construction, as well as visible beyond existing and proposed boundary vegetation along the site's western boundary.
 - Views towards the existing detached dwellings within the site, and farm buildings located along the site's western boundary as well as the derelict farm barns located adjacent to the site's eastern boundary, will be replaced by close to medium range views towards the proposed private drives and new houses.
 - Whilst the appearance will be different, with good quality detailed design, visual effects would be broadly neutral
- 4.3.13 The assessment concludes that the visual effects of the proposed development would be broadly neutral. Expanding on this further, it is considered that the built form of plot 3 does not extend any further northwards than the adjacent residential development and plots 2 and 3 are lower than the existing properties which allow for potential glimpsed views over the roofline and between the dwellings through to the rising Tofts Hill to the east.

- 4.3.14 It is acknowledged that the introduction of the proposed new dwellings will therefore, change and restrict the view across the Site to some extent; however, this is not considered to result in significant harm for the reasons considered above. As such, it is considered that the proposal would accord with Policies EN1 and EN6 of the Melton Local Plan and the consequential landscape effects as a result of proposed development would not result in any unacceptable harm to landscape character.
- 4.3.15 It is also proposed to dig in the dwellings to the rising landscape to reduce the perceived visual impact of the proposal and full levels and landscaping of the site would be considered further via the submission of details at condition.



section through plot 2
scale 1:150

- 4.3.16 A tree survey has also been submitted in support of the planning application which highlights two existing ash trees within the field hedgerow and existing boundary field hedges to the site which are not considered to be adversely impacted by the proposal.
- 4.3.17 The nearest listed building is located on Church Lane approximately 60 metres to the south - Grade II listed pair of houses - Bassingdean (Number 3) And Adjoining House To North (Number 1, Church Corner)

- 4.3.18 Inter-divisibility between the application site and the listed building is weak, given the separation distances, drop in land levels and high level of screening and trees. Views of the listed building and the further afield listed Church of St Guthlac would still be available and not adversely impacted from the relevant viewpoints.
- 4.3.19 Again for the reasons considered above, it is considered that the development would have a neutral impact upon the conservation area and the nearby listed buildings given the nature, scale and design of the development and the separation distances to the listed buildings. In addition, minor benefits are had by the removal of the redundant agricultural barn and the existing semi-detached dwellings. The proposal is therefore considered to accord with Policy EN13 and satisfies the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.3.20 Overall it is considered that the proposal on the edge of the village would be acceptable and not have a detrimental impact upon the character of the area and therefore would comply with the relevant policies of the Melton Local Plan.

4.4 **Impact upon residential amenities**

- 4.4.1 There are neighbours that border the site to the south and north west. Due to the siting of plot 1 level with side of the adjacent property on The Green (no. 6), it is not considered that the development would result in adverse overbearing, loss of light or overlooking impacts upon the occupier of this adjacent property or the further afield properties along Tofts Hill to the south east.
- 4.4.2 Again, due to the distance and single storey and separation distances, no significant concerns are raised with respect to plots 2 and 3 with regards to the residential amenity of the adjacent properties to the north west.
- 4.4.3 Overall, the proposal would not have an adverse impact on the amenity of neighbouring land uses and as such the proposal would comply with Policy D1 of the Local Plan .

4.5 **Highway Safety**

- 4.5.1 Policy D1 states that development proposals should include appropriate, safe connection to the existing highway network and should make adequate provision for car parking. Policy IN2 requires that development does not unacceptably impact on the safety and movement of traffic on the highway network and provides appropriate and effective parking provision and servicing arrangements.
- 4.5.2 Access to the site for the occupiers of plot 1 would be via a new access proposed directly off The Green. Access for the occupiers for plots 2 and 3 would be via separate access which is currently the existing access point for the existing dwellings. Although there are a number of accesses at this point, with a tight bend in the road and vehicles parked on street, it is not considered that the proposal would result in severe highway safety impacts. Both access points are considered acceptable in width and with appropriate visibility for the nature of the road. LCC Highways originally raised concerns with the proposal but additional information and detail have been provided by the applicant and a Highways Authority response is currently awaited.
- 4.5.3 Sufficient off street parking is proposed to cater for the development and turning space is provided to allow vehicles to manoeuvre and leave in a forward gear.
- 4.5.4 As such, subject to conditions the proposal would be acceptable in highway safety terms and would comply with the policies D1 and IN2.

4.6 **Ecology**

- 4.6.1 The application has been supported by an ecological appraisal and bat survey (FPCR, March & June 2019) which LCC Ecology have confirmed are satisfactory (noting the concerns raised by the Parish Council). The survey included a roost assessment of the dwelling and agricultural shed to be demolished, and recorded the dwelling as of low bat potential and the shed of negligible potential. An emergence survey was carried out on the dwelling and recorded no bats using the building for roosting. The ecological appraisal also assessed the existing onsite grassland as species-poor.
- 4.6.2 As such, LCC Ecology have confirmed that no further survey work is required and they have no objections to the application subject to the imposition of bat boxes in suitable positions on the dwellings.
- 4.6.3 Overall, it is not considered that the application would have an adverse impact upon ecological matters.

4.7 **Archaeology**

- 4.7.1 The application area is located just outside the Historic Settlement Core (HER ref: MLE8887) and therefore there is the chance for associated remains with the historic village to lie within the area.
- 4.7.2 As such, an appropriate archaeological mitigation programme and methodology of site investigation and recording should be undertaken prior to commencement of development and this could be secured by condition should the application be approved contrary to the recommendation in this report
- 4.7.3 Overall, subject to conditions based on the advice of expert advisors, it is not considered that the application would have an adverse impact upon archaeological matters to warrant refusal.

4.8 **Flood Risk/Drainage**

- 4.8.1 A drainage strategy has been submitted in support of the application which is considered acceptable. Foul drainage is proposed to connect into the public foul water sewer and surface water drainage is proposed to connect into the public surface water sewer, both of which would require a formal sewer connection approval (separate process not included as part of this application).
- 4.8.2 The application site sits within Flood Zone 1 being at low risk of fluvial flooding. There is a very low risk of surface water flooding across the site and as such, the proposal complies with policy EN11 and EN12 of the Local Plan.

4.9 **Other issues**

- 4.9.1 Concerns have been raised regarding the accuracy of the plans and documents and supporting information which relate to the wider site and specifically the previously proposed development of 9 dwellings and as such are not relevant or out of date to be considered.
- 4.9.2 Whilst a number of the supporting documents do refer to the wider site, no concerns are raised from technical consultees on the supporting information and the submitted information does satisfactorily cover the application site and proposal accordingly.
- 4.9.3 Comments have been received regarding the setting of a precedent, potential for further development/ expansion of the application proposal. Each application is considered on its

own merits and will be determined against the national and local plans which are in place at the time of determination, including any further application or proposals.

5 Consultation & Feedback

5.1 A site notice and press notice was posted and neighbouring properties consulted. As a result, 27 letters of objection, and 1 letter of support have been received

6 Financial Implications

6.1 None identified.

Financial Implications reviewed by: N/A

7 Legal and Governance Implications

7.1 The application is required to be presented to the Committee due to receiving more than 10 letters of representation which are contrary to the recommendation.

7.2 The application engages the statutory duty under section 72(1) to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

7.3 Legal implications are set out in the report where relevant. Legal advisors will also be present at the meeting.

Legal Implications reviewed by: Tom Pickwell (Solicitor)

8 Background Papers

8.1 19/00741/FUL - Demolition of 2 existing dwellings and a barn, and their replacement with 9 new dwellings and associated private access driveways - Field OS 4011, Tofts Hill, Stathern

8.2 21/00037/FUL - Residential development comprising 2 no. dwellings, following demolition of existing barn in Conservation Area. - Land And Buildings South Of No 10, The Green, Stathern

8.3 21/00038/FUL - Erection of 3 no. bungalows (including 2 no. replacement dwellings) - Field OS 4011, Tofts Hill, Stathern

9 Appendices

9.1 Appendix A: Summary of Statutory Consultation Responses

9.2 Appendix B: Summary of Representation Received

9.3 Appendix C: Recommended Planning Conditions

9.4 Appendix D: Informative

9.5 Appendix E: List of Applicable Development Plan Policies

9.6 Appendix F: Site Photographs

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Chief Officer Contact Details:	01664 502359

Appendix A : Consultation replies summary

Parish Council:

Stathern Parish Council objects strongly to this application which is flawed in several ways. Although it claims to concur with pre application advice in practice it only concurs with a self serving interpretation of that advice. The proposed site boundary does significantly extend beyond the proposed Limit to Development in the Stathern Neighbourhood Plan which now carries significant weight. This is over both Eastern and Northern limits set in that LTD. Much is made of Woodview Paddock in some way defining boundaries. It was not 'recently' approved but actually approved in 2016 when no Local Plan existed and previous safeguards of village envelopes had been abandoned. It does not define the northern boundary of the built environment but rather, in this context, the Eastern boundary. Whilst an exception has been made for the footprint of the current dwellings with a reasonable curtilage, both the Melton Plan and Neighbourhood Plan actively discourage building any further up the hill. This has been supported by no less than four Inspectors reports (two for this site and two for site above) Even with the extra land grab proposed this layout represents overdevelopment of the site which contains a barn and one extended bungalow divided into two dwellings. The foot print here far exceeds that of the current layout. Two small semi-detached bungalows are replaced by two large detached bungalows. The current building is in one corner of the site and the replacements cover the whole width of the site making them much more visible. The notion that they are 'contained within the built form' is not supportable. The site was originally in open countryside. There is insufficient parking provided with only one space per two bedroom bungalow and two for the 3 bed house. This conflicts with the new Design Guidance currently being brought forward. It would be inappropriate to allow this at this point, especially as in this case there is no space for on street parking at all. Access via narrow streets with no footpath has already been raised as an issue with damage to verges as large vehicles attempt the tight corners (often bin lorries) We note that it is expected that bins will be put out onto that narrow space each bin day. This is unacceptable and a space on the boundary of the property should be provided for the safe collection of bins. In our view this application still fails on Policies EN1 and EN6. This property is visible in one of the identified Important Views (10d) within the NHP. Any redevelopment should be no more intrusive of that view than the current. There is not room for three detached dwellings on this site. The height of the proposed dwellings is also important as it appears to restrict light onto properties opposite and may constitute a loss of privacy due the topography of the land. Continued visibility of the hillside and woods above is essential to any acceptable development/

In addition, as has already been noted, the reports (especially drainage report and strategy) are not appropriate to this development. All three dwellings cut into the hillside to some degree and the effects on water flow are not assessed or mitigated. The proposed possible link to street drainage is not correct as this is the subject of ongoing work by ST to rectify and may not be able to take any further flows. Finally it is important to bear in mind that this developer will always come back for more, whatever the initial proposal, and will not adhere to any conditions which may be put on a permission.

Ward Members:

No comments received.

LCC Highways:

To be reported at Planning Committee.

LCC Ecology:

No objection subject to conditions.

Lead Local Flood Authority:

Refer to standing advice.

LCC Archaeology:

No objection subject to conditions.

Severn Trent Water:

No objection.

MBC Conservation:

No comments received.

LCC Forestry:

No objection.

Appendix B : Summary of representations received**Neighbours:**

27 letters of objections have been received from local residents on the following grounds:

- Parking problem in the vicinity.
- Narrow road unsuitable for further development.
- Development dominates the landscape.
- Drainage/flooding problems.
- Further new builds not required.
- Taller than existing dwellings or surrounding houses.
- Does not overcome the previous reasons for refusal or previous appeal decision.
- Dwelling would impact the view of Stathern Hill from the Conservation Area.
- Overdevelopment of the site.
- Not contained within the built form.
- Unsuitable collection point for bins.
- Link to street drainage not suitable.
- Impact upon the setting of the conservation area and environment of Tofts Hill.
- Development not within the village plan.
- Open up precedent for more residential development on the site.
- Loss of privacy.
- Dominate the streetscene.
- Pedestrian safety.
- Ecological impacts.
- Pollution from building/construction.
- Limited safe access for construction traffic.

1 letter of support has been received from local residents on the following grounds:

- New properties would look far better than existing.

Appendix C: Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

PL-300 Site Location Plan

PL-302 Plot 1 Plans and Elevations

received by the Local Planning Authority on 03 September 2021

PL-301B Proposed Site Plan and Elevations

received by the Local Planning Authority on 02 November 2021

PL-303A Plot 2 Plans and Elevations

PL-304A Plot 3 Plans and Elevations

received by the Local Planning Authority on 29 November 2021

Reason: To ensure a satisfactory form of development in accordance with Policies SS1, SS2, EN1, EN6 and D1 of the Melton Local Plan.

3. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary and must be hung to open away from the highway.

Reason: 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 in accordance

with Policies SS1, SS2, IN2 and D1 of the Melton Local Plan and Paragraphs 108 and 110 of the National Planning Policy Framework (2021).

4. The development hereby permitted shall not be occupied until such time as the access arrangements and parking and turning facilities as shown on approved drawing PL-301B have been implemented in full and retained in perpetuity.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner and to ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally, in the interests of general highway safety in accordance with Policies SS1, SS2, IN2 and D1 of the Melton Local Plan and Paragraphs 108 and 110 of the National Planning Policy Framework (2021).

5. No development above ground level shall take place until a plan showing a minimum of 3 swift boxes/bricks should be provided to the Local Planning Authority for approval. Thereafter these should be included and retained within the development in perpetuity.

Reason: To ensure satisfactory mitigation for wildlife species and their habitats that are known to exist on site to accord with Policy EN2 of the Melton Local Plan.

6. No development shall commence until representative samples of the types and colours of materials to be used on the external elevations of the proposal hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies SS1, SS2, EN1, EN6 and D1 of the Melton Local Plan.

7. No development shall commence until details of the treatment of the window/door heads/cills (in the form of scale drawings and material samples/specifications) shall be submitted to and agreed in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies SS1, SS2, EN1, EN6 and D1 of the Melton Local Plan.

8. No development shall commence until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted in writing to and approved in writing by the local planning authority.

The scheme shall be carried out in full accordance with the approved landscaping scheme. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the work is carried out within a reasonable period and thereafter maintained in accordance Policies SS1, SS2, EN1, EN6 and D1 of the Melton Local Plan.

9. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no development within Classes A, AA, B, C, D and E shall be carried out unless planning permission has first been granted for that development by the Local Planning Authority.

Reason: To ensure that any changes do not adversely alter the overall character of the surrounding area in accordance with Policies SS1, SS2, EN1, EN6 and D1 of the Melton Local Plan.

10. No demolition/development shall take place/commence until the necessary programme of archaeological work has been completed. The programme will commence with an initial phase of trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policy EN13 of the Melton Local Plan.

Appendix D : Informatives

1. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
2. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
3. The applicant should be advised to contact Leicestershire County Council's Network Management Team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: networkmanagement@leics.gov.uk
4. The applicant's attention should be drawn to the recommendations in the ecological appraisal (FPCR, March 2019).
5. Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.
6. The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.
7. The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.

Appendix E : Applicable Development Plan Policies

Melton Local Plan:

- Policy SS1 Presumption in Favour of Sustainable Development
- Policy SS2 Development Strategy
- Policy C9 Healthier Communities
- Policy IN2 Transport, Accessibility and Parking.
- Policy D1 Raising the Standard of Design.
- Policy EN1 Landscape

- Policy EN2 Biodiversity
- Policy EN6 Settlement Character
- Policy EN8 Climate Change
- Policy EN9 Energy Efficient and Low Carbon Development
- Policy EN11 Minimising the risk of Flooding
- Policy EN12 Sustainable Drainage Systems
- Policy EN13 Heritage Assets

Emerging Stathern Neighbourhood Plan:

- Policy H1 Limits to Development
- Policy H2 Windfall Sites
- Policy CFA4 Protection of Tofts Hill Environment

Other

- National Planning Policy Framework (2021)
- Design of Development SPD

Appendix F : Site Photographs







