



**Melton
Borough
Council**

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Planning Committee

26 May 2022

Report of: Interim Assistant Director for
Planning

20/00009/OUT - Land South of Granary Close, Bottesford

**Erection of up to 18 dwellings and associated infrastructure.
Applicant: Earl of Rutland and Dr Fleming's Hospital Trust**

Corporate Priority:	3: Delivering Sustainable and Inclusive Growth in Melton
Relevant Ward Member(s):	Councillor P Chandler & Councillor D Pritchett
Date of consultation with Ward Member(s):	29 July 2021
Exempt Information:	No

1 Summary



- 1.1 The application site is located to the south of Granary Close in Bottesford and comprises a number of fields measuring a total area of approximately 0.73 hectares.
- 1.2 This application seeks **outline planning permission for the erection of up to 18 dwellings with all matters reserved except for access.**
- 1.3 Housing mix is currently indicated as the following however is indicative – 3no. 4 beds, 9 no. 3 beds, 6 no. 2 beds – with 6 affordable housing plots. The final housing mix would be determined and secured at Reserved Matter Stage via planning condition attached to the outline consent.
- 1.4 An indicative site layout plan has also been provided to indicate how the site could accommodate 18 dwellings, however the layout and scale of these properties as shown is not for consideration.
- 1.5 The application site is surrounded by residential properties to the north, open countryside to the west, south and east. To the west is the pending consideration application for 18 dwellings (reference 17/00250/OUT) which has been resolved to permit at planning committee subject to a Section 106 agreement.
- 1.6 Both this application and the adjacent application (Reference 17/00250/OUT) form part of the one allocated site in the Melton Local Plan and Bottesford Neighbourhood Plan (both Melton Local Plan and Neighbourhood Plan allocation reference BOT1).
- 1.7 A public footpath borders the site on the west and south of the development site. The site lies predominantly within Flood Zone 3.

- 1.8 The site is not within the Conservation Area and there are no immediate listed buildings in the vicinity. The site lies on the edge of the Areas of Separation between Bottesford and Easthorpe.
- 1.9 The application site forms part of a site which is allocated for housing within the Melton Local Plan (BOT1) with an estimated capacity of 41 dwellings. The allocation covers both the application site and the adjacent already pending application for 18 dwellings on the land to the west (Reference 17/00250/OUT).

RECOMMENDATION(S)
<p>1. it is recommended that the Planning Application is APPROVED subject to conditions set out in Appendix C and a Section 106 Agreement to secure contributions towards:</p> <ul style="list-style-type: none"> (i) Secondary and Post 16 Education Provision (ii) Contribution to sustainable transport options (iii) NHS Contribution (iv) On Site Affordable Housing Provision (v) Bottesford Village Hall Play Area

2 Reason for Recommendations

- 2.1 The proposal accords with the requirements of Policies SS1 and SS2 which strongly emphasise the need to provide housing in locations that can take advantage of sustainable travel and make appropriate provision for parking and ensure that there is not a significant impact caused to the Highway network. Bottesford is a 'service centre' under policy SS2 and identified as appropriate for a limited quantity of development in the form of allocations and accommodation of 'windfall'.
- 2.2 The site is allocated for housing purposes in the Local Plan across the application site and the land to the west with an estimated capacity of 41. The application adjacent to the site has a resolution to permit for 18 dwellings and this application is for up to 18 dwellings and also forms part of allocation BOT1. Both the application site and the adjacent site are part of BOT1 (therefore totalling 36 on the allocated site (reference BOT1)).
- 2.3 Affordable housing provision remains one of the Council's key priorities. This application delivers the required level of affordable housing (in line with the Melton Local Plan) that helps to meet identified local needs. Accordingly, the application presents a vehicle for the delivery of 6 affordable housing units, of a type that supports the local market housing needs. The final mix of affordable housing would be secured by Section 106 Agreement.
- 2.4 Contributions towards local infrastructure are also to be secured by Section 106 to ensure that the local infrastructure can mitigate the impact of the development.
- 2.5 The application is in outline and demonstrates how this allocation could be delivered including the site specific criteria applied by the Plan. This report will go on to show that there are no material considerations associated with this proposal that outweigh the policies of the development plan as a whole when considering the Neighbourhood Plan and the Local Plan.
- 2.6 The development is considered to not result in a significant impact upon highway safety and a safe and suitable access is achieved to the site from Granary Close. Sufficient off street parking provision can be secured as part of consideration of the proposed layout at detailed reserved matters stage.
- 2.7 Policy SS1 and SS2 of the Melton Local Plan strongly emphasise the need to provide housing in locations that can take advantage of sustainable travel. The site is situated

within a Service Centre as defined by the Melton Local Plan and both the Melton Local Plan and Neighbourhood Plan allocate the site for housing.

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 representation contrary to the recommendation.
- 3.1.2 A Call-in request has also been received from a Local Ward Member.

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 The Local Plan Policies remain up to date and consistent with national planning policies and guidelines as contained in the National Planning Policy Framework (2021).
- 3.2.3 The Bottesford Neighbourhood Plan was adopted in October 2021.
- 3.2.4 Please see Appendix E for a list of all applicable policies.

3.3 Main Issues

- 3.3.1 The main issues for this application are considered to be:
 - Principle of development; compliance with Development Plan Policies.
 - Local infrastructure provision
 - Impact upon the character of the area
 - Impact upon residential amenities
 - Impact upon highways and parking
 - Impact on ecology
 - Impact on archaeology
 - Impact on contamination
 - Impact on flood risk and drainage including provision of water
 - Sustainability

4 Report Detail

4.1 Position under the Development Plan Policies

- 4.1.1 The site is adjacent to the settlement of Bottesford and policies SS1 and SS2 apply. These two policies reflect the presumption in favour of sustainable development within the National Planning Policy Framework (NPPF) and set out the strategy of delivering housing across Melton borough. Bottesford is identified in the Local Plan as a Service Centre and has a housing allocation BOT1 with an estimated capacity for 41 dwellings.
- 4.1.2 The Bottesford Neighbourhood Plan also allocates the site for housing (reference BOT1).
- 4.1.3 Other material considerations are the National Planning Policy Framework (NPPF), the Design SPD, Housing Mix and Affordable Housing SPD, Developer Contributions SPD and Bottesford Design Code.

4.2 Principle of Development

- 4.2.1 The proposal accords with the requirements of Policies SS1 and SS2 which strongly emphasise the need to provide housing in locations that can take advantage of sustainable travel and make appropriate provision for parking and ensure that there is not a significant adverse impact on the Highway network.
- 4.2.2 Bottesford is identified as a 'Service Centre' under Policy C1(A) of the Local Plan and as such is appropriate for a limited quantity of development in the form of allocations and accommodation of smaller sites.
- 4.2.3 The application site is allocated for housing within the Melton Local Plan (BOT1) with an estimated capacity of 41 dwellings.
- 4.2.4 This application proposes up to 18 dwellings. This would mean a total of 36 dwellings on the allocation site (BOT1) overall taking into account the planning application on the adjacent site (also for 18 houses) that has already been determined and is currently awaiting conclusion of a S106 Agreement.
- 4.2.5 Policy C1 (A) states that
Housing proposals will be supported where they provide:
1. A mix of dwellings in accordance with Policy C2;
 2. Affordable housing in accordance with Policy C4;
 3. The necessary infrastructure required to support development in accordance with Policy IN1; and
 4. High quality design in accordance with Policy D1.
 5. The requirements as set out in Appendix 1 or relevant Neighbourhood Plan.
- 4.2.6 Appendix 1 states the following in relation to BOT1
Development of the site reference BOT 1 will be supported provided:
- it is ensured that no adverse impacts will affect the nearby Local Wildlife Site located in proximity to the southern boundary;
 - the footpath link through the centre of the site to Grantham Road is retained and enhanced with additional landscaping and improved boundary treatment;
 - the site can be developed as a single comprehensive development;
 - flood mitigation measures have been put in place and the drainage infrastructure is available to accommodate the surface water from this site.
- 4.2.7 Policy 15 of the Bottesford Neighbourhood Plan states the following with respect to Development of BOT 1 Land to rear of Daybell's Farm and 18 Grantham Road.
1. Planning permission will be granted for residential development in accordance with MBC Local Plan Policy C1 (A) on the site shown on Map 2 where the proposals combine to provide a scheme for comprehensive development of the whole of BOT 1.
 2. Proposals should also demonstrate a high design quality as defined in Neighbourhood Plan Policy 8 (1). This means;
 - a) homes of mixed styles, types and tenures (market and affordable) with the potential for custom builds;
 - b) a design, density and layout that reinforces the local rural character in accordance with the Bottesford Parish Design Code 2020; and

- c) the use of materials and an associated sensitive colour palette that compliments the surrounding area; and
- d) to the front, boundary treatment of low walls or hedges that create private space to allow for the planting of native trees and shrubs;
- e) where plot boundaries run to the south, west or east of BOT 1, a boundary treatment in the form of hedges or low walls/fences that allows for a soft transition to the open countryside reflecting the site's location within the Area of Separation; and
- f) a layout safeguards the public right of way that runs through the site
- g) a flood risk assessment has been undertaken which establishes that the proposed development would not give rise to an increased risk of surface water flooding either on the site or in the vicinity which cannot be effectively mitigated.

3. Proposals are required to demonstrate the safety of any residential development and future occupants from identified flood risks, over the lifetime of the development in accordance with the NPPF.

4. Proposals will be required to manage surface water through keeping to a minimum the creation of non-permeable areas and the incorporation of SuDS, which mimic natural drainage patterns, are appropriate to the existing landscape character, contribute towards water recharge and improve biodiversity.

5. The mature trees and hedgerows on the site are part of the character of the Parish. The landscape scheme should demonstrate how the trees and hedgerows have been retained or their loss minimised.

6. The proposal should seek a net biodiversity gain in accordance with Neighbourhood Plan Policy 3 (2).

7. Where their layouts involve the loss of existing trees, development proposals should incorporate replacement trees to take account of the details of policy 3 (3) of this Plan.

4.2.8 Taking each point in turn in relation to Policy C1(A) and Appendix 1 and also Policy 15 of the Bottesford Neighbourhood Plan:

Housing Mix (LP Policy C1A)

4.3 Housing mix has been indicated on the submitted details as 6 no. 2 beds, 9 no. 3 beds, 3 no. 4 beds. Although indicative only, it is considered that this would not be in line with the Optimum Housing Mix set out in Table 8 of the Melton Local Plan. Therefore a condition is recommended that would ensure that the area's local market housing need would be met on the site through a mix of house types and sizes as part of the consideration of the reserved matters application. See condition 3 in appendix C.

4.4 This would ensure a suitable mix of housing is considered, to meet local housing needs and to ensure the development is in accordance with the housing mix Local Plan and Policy 10 of the Neighbourhood Plan.

4.5 Five bungalows are indicated on the plan which would be supported in line with Policy C2 of the Melton Local Plan which states that residential developments which include bungalows will be particularly supported. This will be considered as part of the reserved matters application in line with condition 3 in appendix C to ensure that the area's local market housing need would be met.

Affordable Housing (LP Policy C1A)

- 4.5.1 In accordance with Policy C2 of the Local Plan, 32% of the houses are proposed to be affordable as the site is in value area 2. This equates to a provision of 6 dwellings.
- 4.5.2 The Housing Policy Officer has recommended the following mix and with a Local Cascade Criteria. The final mix, tenure and house type/size and timing of its provision (in relation to the overall development) is to be secured by Section 106 agreement associated with this decision – split 80% affordable rented housing and 20% affordable home ownership.
- 4.5.3 The design and location of the affordable housing units would be considered at reserved matters stage to ensure that they would be arranged in appropriately sized clusters and to be 'tenure blind' to be in line with Policy C4 of the Melton Local Plan and the Housing Mix and Affordable Housing SPD.

Infrastructure Implications (LP Policy C1A)

- 4.5.4 A Section 106 Agreement is recommended to secure full contributions relating towards education, sustainable travel and healthcare as detailed below. These are based on the 'up to' figure of 18 and would need to be expressed as a 'per house' amount to ensure that the contributions reflect the number of dwellings that come forward at reserved matters stage.
- NHS, for primary care facilities in Bottesford - £11,880.00
 - LCC Secondary School Education - £53,735.26
 - LCC Post 16 Sector Requirement - £11,480.24
 - LCC Highways - Raised kerb provision at Bus Stop on Grantham Road, Outside Daybells Barns at a cost of £3,500
 - Parish Council Play Equipment for Village Hall Play Area - £5,710
- 4.5.5 The Parish Council have requested a contribution to the redevelopment of the play area at the East end of the Village Hall field to give the children of the families that live in the new site access to good quality play equipment. The Parish Council have stated that due to the size and style of the proposed homes it is likely that this new development will bring in a number of new families with children. The current development site does not have a play area of its own and the Parish Council have identified that the Village Hall field is the closest play area to the site and is in need of new equipment.
- 4.5.6 The play area most easily and safely accessed from any new dwellings is based at The Village Hall. This site currently has only one double swing. The Parish Council has a quotation for a full play scheme to develop this area and is requesting support to fund these plans which arise from a need for new equipment for residents of this and other proposed developments in the area.
- 4.5.7 The Parish Council states that it currently provides opportunities for play at 5 sites across the parish. These sites contain 42 pieces of equipment, this amounts to one piece of equipment for every 32 dwellings.
- 4.5.8 On this basis the Parish Council have requested that the developer for this scheme fund half of one price of equipment of a funded scheme for 5 pieces of new equipment (full scheme costed at £57099.76 + VAT). Total request = £5710.
- 4.5.9 The applicant has agreed to the above contribution requests. With respect to the play equipment, the applicant has confirmed this request in lieu of on site provision.

- 4.5.10 The above contribution requests have been assessed against Regulation 122 of the Community Infrastructure Levy (CIL). This sets out that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 4.5.11 All the above contribution requests are considered to be directly relatable and necessary to the development given the increase of residents in the area which would result in additional demand for health, education and highway services.
- 4.5.12 This impact would be mitigated by the provision of obligations to secure additional facilities/provision and as such the contribution requests are considered necessary and reasonable based on the existing facilities and the level of development being proposed
- 4.5.13 No contribution request has been received from LCC for Primary Education, Waste Services or Library Services.
- 4.5.14 The site falls within the catchment area of Bottesford C of E Primary School of which LCC advise the School has a net capacity of 315 and 264 pupils are projected on roll should this development proceed; a surplus of 51 places.
- 4.5.15 LCC also advise that the HWRC at Bottesford will be able to meet the demands of the proposed development within the current site thresholds without the need for further development and Bottesford library currently exceeds upper threshold in terms of standards for stock provision and will not be affected by the proposed development. Thus no contribution has been requested in respect of these matters.
- 4.5.16 Contribution requests have also been made in relation to the 'local infrastructure' lists that form the relevant appendix of the Developer Contributions SPD, and following engagement of the Local Ward Councillor:
- Village hall play area (already detailed and considered above following the request from the Parish Council).
 - Grantham Road allotments - Neighbourhood Plan has identified a waiting list of 10 in 2020. The proportionate share of the cost of this project, taking into account contributions from other developments, would be £2,000.
 - Village centre car park: The project is still being developed but the most recent estimate of cost is £20,000. Proportionately, combined with contributions sought from all other developments in the village the request is £1,800.
 - Village centre traffic calming. Details of this project are emerging and it is a project intended to benefit the whole community (existing and future) at an estimate cost of £24,000. The request is £2,844.
 - 3G Multi-use playing pitch: the project is 'community wide' and estimate cost of £73,920. The proportionate share of this for this development £4,752.
 - Enhancements of Bottesford Cricket Club. The project is estimated at £22,440. The proportionate share of which would be £1,440 for this proposal.
 - Contribution to the introduction of a 20mph speed limit on Grantham Road.

- 4.5.17 Each of the above is supported by information explaining their relationship to the development, which is principally its immediate geography or as part of the 'community wide' approach to infrastructure provision such as works within the village centre. The figures derived are supported by detailed calculations demonstrating the proportionate share of the development based on its size (i.e. number of houses) and in relation to the level of growth in Bottesford and the existing and projected population.
- 4.5.18 The applicant has responded as follows –
- The indicative layout shows that there is a reasonable amount of open space within the development, particularly to the south. We are happy to lay out allotments within that area for the benefit of the occupiers of the development should they be required;
 - The site has excellent access to Bottesford Village Centre by means other than the private car, making a contribution to a village centre car park unreasonable;
 - The local highway authority, Leicestershire County Council, has a duty of care to maintain the safety and usability of public roads. Village Centre traffic calming or a 20mph speed limit are not required by the Highway Authority to make the development acceptable;
 - With a potential contribution to the Village Hall Play Area and a good amount of on-site open space, further contributions to sport and recreation are unreasonable, especially those relating to the improvement of private, members-only cricket and football clubs.
- 4.5.19 As referenced above, each request needs to be considered under the requirements of the CIL Regulations. The Committee is invited to adjudicate in these terms and the following advice is offered (NB simple agreement by the developer to make a contribution is not relevant to the application of these tests).
- Grantham Road allotments: The applicant has agreed to provide space for on-site allotment (secured by condition 11 in appendix C). It is therefore considered that increased demand on the existing facilities will not arise from the development and as such the tests of 'necessary' and 'directly related to the development' are not met.
 - Village Centre Car Park, Village Centre traffic calming and 20mph speed limit: in the absence of workable schemes and a proven requirement for such works, within the context of a relatively small scale development (18 houses) it is considered traffic impact will be negligible and fails to meet the CIL test of 'necessary'. LCC Highways concur with the above statement as considered further in section 4.8.
 - Multi-use playing pitch and Cricket Club enhancements: whilst very welcome projects, it is not considered development could be refused as a result of the inability to make the improvements sought for these facilities (housing development is routinely approved without such facilities available) and as such do not meet the test of 'necessary'.
- 4.5.20 The concerns of the Local Ward Members regarding Severn Trent Water and supply to Bottesford and therefore new developments are noted. Severn Trent Water have a legal duty to provide water supply to all new properties and this would not be considered reason to refuse the application. Severn Trent Water have commented on the application and raise no objection to the proposed development of up to 18 dwellings subject to the imposition of conditions. Full considerations of drainage and flood risk mitigation are detailed in section 4.12 below.

- 4.5.21 Overall, the development proposed would ensure that a financial contribution is sought which would ensure that the impact of the development on local infrastructure can be mitigated in line with Policy C1(A) and Appendix 1.

Housing Numbers (LP Policy C1A)

- 4.5.22 The allocated site (reference BOT1) allocates the site for an estimated 41 dwellings.
- 4.5.23 A planning application on the adjacent land within BOT 1 for 18 houses has been resolved to permit subject to section 106 (reference 17/00250/OUT).
- 4.5.24 This application seeks permission for 'up to 18 dwellings' on the remainder of the allocated site which could result in a total of 36 dwellings across the overall one allocated site (allocation reference BOT1).
- 4.5.25 In addition, the outline application here before is stated as "up to" 18 dwellings and therefore this allows for a reduction in numbers should a certain layout be required at Reserved Matter stage or other more detailed considerations and on site assessments arise.

Local Wildlife Site located in proximity to the southern boundary; (LP Appendix 1)

- 4.5.26 The indicative layout shows a separation between the built form and the southern boundary thus ensuring an appropriate wildlife corridor adjacent to the local wildlife site. This buffer is recommended to be secured by condition 11 of Appendix C. In addition, this would also remove the need for street lighting at the southern end thus enhancing the boundary further. No evidence of protected species was found on site within the submitted ecological survey, and the site was generally considered to have a low potential to support protected species. Further consideration with respect to biodiversity and ecology are considered further in section 4.9.

Footpath Link to the Village (LP Appendix 1 & NP Policy 15)

- 4.5.27 A public right of way runs through the centre of the allocated site however it sits just outside of this application site on the western boundary. The adjacent application provided indicative plans which retained the public right of way through the site and the indicative layout provided here also shows connectivity to this footpath via the public open space.
- 4.5.28 A public right of way also runs along the southern boundary and again the indicative layout plans submitted here show a link over the river and connecting to the aforementioned public right of way.
- 4.5.29 A condition is recommended to ensure that the reserved matters provide a connection to the footpath to the west and south (condition 11 of Appendix C).
- 4.5.30 Landscaping and boundary treatments can again be considered at reserved matters stage to ensure an attractive environment for users of the public right of way.
- 4.5.31 In addition, pedestrian access would be available via Granary Close.
- 4.5.32 As such, it is considered that the proposal would provide good connectivity to the village and the surrounding area east, south and northwards.

Allocation developed as a single comprehensive development (LP Appendix 1 & NP Policy 15)

- 4.5.33 Appendix A of the Local Plan Development states that development of the site reference BOT 1 will be supported provided the site can be developed as a single comprehensive development.

- 4.5.34 The allocated site covers both the application site for consideration here and the adjacent pending decision application for 18 dwellings (reference 17/00250/OUT). The adjacent application has already been considered and resolved to permit.
- 4.5.35 Although this current application and the adjacent development have been submitted separately and therefore are considered independently of each other it is considered that condition 11 secures the reserved matters submission to achieve an integrated layout which would show the two elements within the whole allocated site developed in harmony with one another.
- 4.5.36 The site is allocated for housing, is an outline application with access only and at reserved matters stage a layout can come forward which shows an integrated approach.

Flood Mitigation Measures and Drainage Infrastructure (LP Appendix 1 & NP Policy 15)

- 4.5.37 The consideration with respect to Flooding and Drainage Matters are considered in full in section 4.12.
- 4.5.38 A Flood Risk Assessment has been submitted which shows the proposed development to be within Flood Zone 3a.
- 4.5.39 However further, detailed site-specific hydraulic modelling shows that much of the application site sits outside the 0.1% Annual Exceedance Probability (AEP) event. The proposed development therefore, subject to appropriate condition, would not be considered to exacerbate or result in flood risk. The Environment Agency also raise no objection subject to condition 18 in Appendix C.

Conclusion on Principle

- 4.5.40 Given that the Local Plan is adopted and the site is allocated for development, the benefits that would arise from it should be given significant weight in the determination of the application. Appendix 1 makes it clear that development of BOT1 will be supported subject to a number of criteria which can be addressed at reserved matters stage and secured by condition 11 of Appendix C.
- 4.5.41 The development of the application site would be consistent with the spatial strategy, would provide support for the maintenance and enhancement of local services, contribute to the choice of a range of housing sites in sustainable locations in the Borough and offer significant benefits by helping to meet housing needs.
- 4.5.42 The development provides potential for sympathetic design in keeping with the character of the Area, careful landscaping, biodiversity, an acceptable access, contributions towards infrastructure, flood risk mitigation and sustainable drainage opportunities and as such is considered to accord with Policies SS1, SS2, C1(A) and Appendix 1 (BOT1) of the Melton Local Plan and Policy 15 of the Bottesford Neighbourhood Plan.

4.6 Impact upon the character of the area

- 4.6.1 Policy D1 of the Local Plan states that all new developments should be of high-quality design. Policy EN1 of the Local Plan aims to ensure new development is sensitive to its landscape setting and that it seeks, where possible, to enhance the distinctive qualities of the landscape character areas (as defined in the Landscape Character Assessment); and requires new developments to respect existing landscape character and features.
- 4.6.2 Policy 15 of the Neighbourhood Plan also requires certain design criteria within Development of BOT1, materials, design density, plot boundaries and boundary

treatments and retention of trees and hedgerows. In addition, the Bottesford Design Code and also Policy 8 of the Neighbourhood Plan are pertinent to this proposal.

- 4.6.3 The application site is not public open space nor is it identified as important green space and is allocated for housing within the Local Plan. The site is not identified within an 'important view' within the Neighbourhood Plan.
- 4.6.4 The layout provided at this outline stage is indicative and the appearance of the buildings and final layout would be assessed as part of any future reserved matters application. However, the retention of the hedges on the boundary of the site and incorporation of buffers as required from ecological and wildlife considerations with respect to the southern buffer are to be submitted in support of the first reserved matters as secured by condition 11 of Appendix C.
- 4.6.5 Careful consideration would need to be had at reserved matters stage to ensure that the development would secure additional tree planting and retain vegetation to break up the urban edge to help soften the impact of the proposed development on the wider landscape character and integrate it into the existing settlement edge.
- 4.6.6 Policy EN4 relates to Areas of Separation and new development proposals will be required to:
- A. Avoid the coalescence of settlements by maintaining the principle of separation between them;
 - B. Retain highly tranquil parts of the landscape between settlements; and
 - C. Safeguard the individual character of settlements.
- 4.6.7 Policy EN6 of the Melton Local Plan states that development proposals will be supported where they do not harm open areas which contribute positively to the individual character of a settlement or form a key entrance and/or gateway to a settlement. It is acknowledged that this site is located on the north western edge of the village and the development of the site would alter its character.
- 4.6.8 However, subject to detailed consideration at reserved matters stage, with significant and appropriate landscaping, the development of the site could be achieved so as to integrate successfully into this edge of village location so as not to disrupt the pattern and form of the village. A well-designed development with sensitive landscape edges could be achieved to ensure the development accords with Policies EN4 and EN6 of the Melton Local Plan and the landscape guidance in respect of providing a scheme that would not be considered to harm the character of the area on this edge of village site and would safeguard the individual character of settlement whilst avoiding the coalescence of Bottesford and Easthorpe.
- 4.6.9 Overall, subject to further detailed consideration at reserved matters stage, the proposals are considered to be acceptable on the grounds of impacts upon the character of the area and complies with the above policies.
- 4.7 **Impact upon residential amenities**
- 4.7.1 The layout of the proposed dwellings is indicative.
- 4.7.2 The application site is currently undeveloped land adjacent to existing properties on Granary Close. Subject to final siting and scale of the proposed dwellings, it is considered that the site could accommodate up to 18 dwellings whilst maintaining adequate

residential amenity of neighbouring properties in terms of outlook and privacy and ensuring there would be no adverse overbearing or loss of light impacts.

- 4.7.3 Subject to layout and siting of the dwellings, sufficient amenity space for the dwellings could also be provided in line with the Development Plan and supporting Design Supplementary Planning Document.
- 4.7.4 The proposed development is adjacent existing residential dwellings. As such construction activities – noise, vibration, dust and artificial light could adversely affect residential amenity. It is therefore recommended that a Constructional Environment Management Plan is to be submitted prior to commencement of development and followed during construction of the development, this is requested at Condition 20 of Appendix C.
- 4.7.5 Overall, it is considered that the proposal would comply with the relevant policies of the Melton Local Plan which requires new development to ensure that the amenity of future occupiers and of neighbouring properties should not be compromised.
- 4.8 Highway Safety**
- 4.8.1 The site would be accessed via Granary Close from the north. Granary Close is a publicly maintainable, unclassified road, subject to a 30mph speed limit. At the end of Granary Close is a private cul-de-sac which the applicant is proposing to upgrade and provide a continuation of.
- 4.8.2 The applicant has confirmed access over this private part of Granary Close and is proposing a carriageway width of approximately 5 metres with a 2metre footway on the northern side. The overall corridor width would be 7.5 metres which the Local Highways Authority are satisfied with as the access proposal would be designed to a suitable standard to serve the quantum of development proposed. As such, access to the site would be to adoptable standards.
- 4.8.3 Trip generation was not requested by the Local Highways Authority (due to the quantum of development proposed) however trip generation in the form of a TRICS analysis has been submitted which shows expected trip rates per dwelling and vehicle trips, being relatively low and less than 30 two way trips in the peak hours. Therefore it is considered that the additional trips wouldn't have a severe impact on the local highway network.
- 4.8.4 The Local Highways Authority have reviewed the details submitted and raise no objection subject to conditions (conditions 9 and 10 in Appendix C) and also contribution in respect of raised kerb provision at the bus stop on Grantham Road.
- 4.8.5 In addition to this, it is recommended to condition that electric vehicle charging points are provided for each dwelling (condition 21 of Appendix C), in accordance with Policy EN9 of the Melton Local Plan and Policy 9 of the Bottesford Neighbourhood Plan.
- 4.8.6 The internal layout of the site is not to be determined at this stage however the internal road is to be designed to an adoptable standard which can be secured at reserved matters stage.
- 4.8.7 A Construction Traffic Management (CTM) Plan has been recommended to be submitted by condition 10 of Appendix C to ensure suitable and safe passage of vehicles along the highway and to ensure there is no mud or excess material on the highway.
- 4.8.8 The Parish Council have requested a contribution to introduce traffic calming measures on Grantham Road so as to mitigate the risk of vehicles pulling out of Granary Close from the application site or Daybells Close from the adjacent application site.

- 4.8.9 The Local Highways Authority have been requested to comment on this and state the following:
- “A gateway treatment and/or VAS (vehicle activated sign) would be the only thing we would consider and it would be for the Parish to maintain, however in terms of the development having any impact to the public highway it will be negligible so we can't justify asking for any traffic calming to mitigate the impact of the development”.
- 4.8.10 Given the above consideration, it is considered that the introduction of traffic calming measures on Grantham Road would not be reasonable or necessary based on the quantum of the development and when considering the CIL regs.
- 4.8.11 As such, the development is considered to be in accordance with the relevant policies of the Melton Local Plan in respect of highway safety and parking.
- 4.9 **Ecology**
- 4.9.1 The land is in recent arable use and therefore of low biodiversity value. An ecology survey and Great Crested Newt Survey has been submitted in support which indicates that the site comprises species-poor grassland and no evidence of protected species was found on site, and the site was generally considered to have a low potential to support protected species. In addition the pond adjacent to the application site was found to be negative for Great Crested Newts.
- 4.9.2 As such, no concerns were raised with respect to biodiversity and hedgerows and trees can be retained as part of the reserved matter submission.
- 4.9.3 As the application falls within a Swift Alert Area, it is recommended to condition that swift nest boxes are provided to at least 3 dwellings and this is secured by condition 12 of Appendix C.
- 4.9.4 Policy 15 of the Bottesford Neighbourhood Plan states that the proposal should seek a net biodiversity gain in accordance with Neighbourhood Plan Policy 3 (2). This is considered reasonable to consider at reserved matters stage and is secured by Condition 11 of Appendix C.
- 4.9.5 Consideration has been undertaken above with respect to the nearby Local Wildlife Site and overall, subject to detailed consideration at reserved matters stage, it is considered the proposal would not result in adverse impacts on ecology or biodiversity subject to mitigation which can be secured by condition (condition 11 of Appendix C). Condition 11 also secures that in support of the first reserved matters a biodiversity net-gain calculation is undertaken.
- 4.10 **Archaeology**
- 4.10.1 The Leicestershire and Rutland Historic Environment Record (HER) notes the site lies close to the Historic Settlement Core of Easthorpe (HER ref: MLE9094) and is directly south of medieval remains found whilst trenching before construction of the houses on Granary Close (HER ref: MLE17365). The trenches found various finds and features dating from the Roman, medieval and post-medieval periods. Other trenches in the close vicinity recorded evidence of late medieval/early post medieval street frontage (HER ref: MLE17366). More recent excavation on the site of Daybells Farm to the north of the site had a medieval pit (HER ref: MLE22749), Roman pottery (HER ref: MLE22750).
- 4.10.2 To the east is the scheduled monument of Easthorpe Manor House (HER ref: MLE3427), which is a manor house surrounded by a ditch to take on the appearance of a moat and

other associated earthworks. Across the road to the north Roman tessera and pottery was found whilst allotment digging (HER ref: MLE16159).

- 4.10.3 As such an Archaeological Impact Assessment was undertaken. The evaluation found some archaeological features which are either undated or post-medieval in date and therefore have a low level of significance.
- 4.10.4 LCC Archaeology have reviewed the report and do not believe the proposal will result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets and as such recommended that the application warrants no further archaeological action.
- 4.10.5 As such, no concerns are raised in respect of archaeological matters in accordance with Section 16 of the NPPF.

4.11 **Contamination**

- 4.11.1 Given the nature of the land in question, it is not considered that the proposal would result in adverse impacts with respect to contamination. However it is recommended that if contamination is found at a later date, then details must be provided for consideration. This is secured by condition 19 of Appendix C.

4.12 **Flood Risk/Drainage**

- 4.12.1 The site is located within Flood Zone 3a as identified through the submitted Flood Risk Assessment which details the following drainage strategy.

Water quantity, runoff rate and volume will be managed through an attenuation system. The attenuation system will manage flood risk, such that no flooding occurs for events up to 1%AEP (1% chance in any given year of the event occurring. This means that on average 1 event of this size will occur every 100 years) plus climate change.

There is scope for the drainage scheme to control water quality, by a sequential SuDS treatment train that provides settlement time and filtration / adsorption effect of the SuDS components, with the first flush (first 5mm of rainfall) producing minimal discharge.

The proposed drainage system could provide amenity and biodiversity enhancement within the built environment by careful design of landscaping and planting, complementing the local habitat.

- 4.12.2 The following mitigation measures are also proposed

Set finished floor levels above 31.7mAOD or 150mm above adjacent ground, whichever is higher.

- 4.12.3 The above strategy and mitigation measures are to be secured by conditions 13, 14, 15, 16, 17 and 18 of Appendix C.

- 4.12.4 Whilst the development is in Flood Zone 3a and classed as a 'more vulnerable' development, detailed site-specific hydraulic modelling shows that much of the application site sits outside the 0.1% Annual Exceedance Probability (AEP) event, ie. shows the site to remain dry during the design flood event even when the most onerous estimation of climate change is applied.

- 4.12.5 The Environment Agency have reviewed the submission and raise no objection stating that the development would meet the NPPF's requirements in relation to flood risk subject to a condition securing the above strategy and mitigation measures (secured by condition 18 of Appendix C).

- 4.12.6 The site is within Flood Zone 3a and a sequential test would normally be required, however the site is allocated within the Melton Local Plan for residential development and a sequential test was undertaken as part of the Local Plan process. The estimated capacity of the site was re-issued as a result of the Sequential Test and this application is lower than the estimated capacity. The Sequential Test at Local Plan Stage demonstrated that when an application is submitted on an allocated sites (as is the case here), an Exception Test would not be required – subject to the inclusion of flood and surface water management within the planning application submission (secured by condition 18 of Appendix C).
- 4.12.7 The Lead Local Flood Authority raise no objection given that the application seeks to erect 18 dwellings on a site located largely within Flood Zone 3a associated the River Devon approximately 200m north of the site. The site surface water flood risk is generally very low, with some localised patches of low or medium flood risk. These patches are likely due to the surface water being trapped which will be resolved through the construction of a drainage system associated with the proposed housing development.
- 4.12.8 The LLFA have advised the strategy to be acceptable subject to conditions and likewise Severn Trent Water and Environment Agency raise no objection subject to conditions (conditions 13 to 17 of Appendix C).

4.13 **Sustainability**

- 4.13.1 The Reserved Matters shall be supported by a sustainability statement demonstrating how the proposal responds to sustainability and this is to be secured by condition 11 of Appendix C.

5 Consultation & Feedback

- 5.1 A site notice was posted at the site, a press notice was also posted in the Melton Times and neighbouring properties consulted.
- 5.2 During the course of the application, an amended plan was received and description updated following which a full re-consultation was undertaken, including new site notice and press notice.
- 5.3 Overall, following the initial and revised consultation, 19 letters of objection were received, details of the comments are summarised at Appendix B.

6 Financial Implications

- 6.1 The recommendation proposes a s106 agreement collecting developer contributions for various aspects (see above for details).

Financial Implications reviewed by: N/A

7 Legal and Governance Implications

- 7.1 The application engages the statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.
- 7.2 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 17/00250/OUT - Outline application for the erection of 18 dwellings and associated infrastructure. – Committee Report of 14.06.2018.

9 Appendices

Appendix A: Summary of Statutory Consultation Responses

Appendix B: Summary of Representation Received

Appendix C: Recommended Planning Conditions

Appendix D: Informative

Appendix E: List of Applicable Development Plan Policies

Appendix F: Site Photographs

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Appendix A : Consultation replies summary

Parish Council:

Initial Comments 12th February 2020

Significant letter of objection received raising the following points to consider

- Uncoordinated Planning
- A Missed opportunity
- No Character Assessment available
- Nestling into the Typography
- Housing Stock & Layout
- Access, Connectivity & Public Amenity
- Environmental Issues
- Management of the Process
- The Build Phase

Conclusion

This application should be refused or withdrawn and the outline application on Daybell's Land paused pending the preparation of a Design Brief prepared by Melton BC Planning with Bottesford PC to secure the best scheme for the whole site. If this site is developed piecemeal, we should consider whether there are any legal challenges that can be made to ensure that the approved Local Plan is not undermined at the first hurdle.

Latest Comments 12th August 2021

Significant letter of objection received raising the following points to consider

- Uncoordinated Planning
- A Missed opportunity
- No Character Assessment available
- Nestling into the Typography
- Housing Stock & Layout
- Access, Connectivity & Public Amenity
- Environmental Issues
- Management of the Process
- The Build Phase

Conclusion

This application should be refused or withdrawn and the outline application on Daybell's Land paused pending the preparation of a Design Brief prepared by Melton BC Planning with Bottesford PC to secure the best scheme for the whole site. If this site is developed piecemeal, we should consider whether there are any legal challenges that can be made to ensure that the approved Local Plan is not undermined at the first hurdle.

In the event that the Lead Planning Authority allows the proposed developed to do go ahead despite Parish Council objections we request the following contributions through the s106 process.

1. DETAILS OF S106 REQUEST

New Play Area at the Village Hall field The redevelopment of the play area at the East end of the Village Hall field.

This proposal is aligned to Policy C9 of the Melton Local Plan (Healthy Communities) and Policy EN7 (Open Space, Sport and recreation), and to Section 3 of Page 11 of the Melton Borough Design Supplementary Planning Document.

2. CIL REGULATIONS JUSTIFICATION

- Why is the request necessary

To give the children of the families that live in the new site access to good quality play equipment.

- How has the development given rise to the request

From the size and style of the proposed homes it is likely that this new development will bring in a number of new families with children. The current development site does not have a play area of its own. The Village Hall field is the closest play area to the site. The Village Hall site is in need of new equipment (the current equipment is only swings and they are old).

- How is the request related in scale and kind to the development.

The sum requested is small within the context of the scale of the development and will benefit all future residents.

3. SUPPORTING INFORMATION

- Provide details of how the contribution requested has been calculated

The play area most easily and safely accessed from any new dwellings is based at The Village Hall. This site currently has only one double swing. The Parish Council has a quotation for a full play scheme to develop this area and is requesting support to fund these plans which arise from a need for new equipment for residents of this and other proposed developments in the area.

The Parish Council currently provides opportunities for play at 5 sites across the parish. These sites contain 42 pieces of equipment, this amounts to one piece of equipment for every 32 dwellings.

On this basis we would ask that the developer for this scheme fund half of one price of equipment of a funded scheme for 5 pieces of new equipment (full scheme costed at £57099.76 + VAT).

Total request = £5710

4. ADDITIONAL INFORMATION

It is important that this is done in a manner that is within the design code for the Parish, and follows the aesthetics of the village. It would not be appropriate to use much of the play equipment, furniture and signage more often associated with towns.

Ward Member Councillor Pritchett:

Contribution request to local infrastructure, as detailed in section 4.5.16.

Ward Member Councillor Chandler:

No comments received.
Environment Agency: No objection subject to condition.
Housing Policy Officer: Recommendation put forward and provision of 32% affordable housing on site.
LCC Archaeology: No objection.
LCC Lead Local Flood Authority: No objection subject to conditions.
LCC Highways: No objection subject to conditions and contribution requests.
LCC Developer Contributions Education: Contribution Requests to Education (Secondary and Post 16).
Lincolnshire Clinical Commissioning Group, South West Locality Total funding request of £11.880.00
LCC Ecologist: No objection subject to conditions.
Designing Out Crime Officer: Recommendations provided.
Severn Trent Water: No objection subject to conditions.
Trent Valley Internal Drainage Board: No objection subject to conditions.

Appendix B : Summary of representations received
<p>Neighbours: 19 letters of objections have been received from local residents on the following grounds:</p> <ul style="list-style-type: none"> • Increased demand on local infrastructure/services • Increase in traffic, noise, pollution, congestion • Construction traffic unable to manage safely to pass through the village • Lack of accessible green spaces • Loss of wildlife • Impact upon the environment and lack of sustainable housing for the future

- Noise, mud and impact from construction traffic
- BOT1 should be developed together and not as separate entities
- If approved, opens the gates for extra development on the site
- Loss of visual aspect and openness within the centre of the village
- Lack of parking for the development and visitors
- Loss of hedgerows, nature and trees
- Only 3 bungalows
- Loss of outlook, impact upon privacy and noise and disturbance from the development and traffic
- Allocated land does not need to all come forward at once
- Layout appears cramped
- Ecology report misleading and missing relevant species
- Inclusion of green areas should be provide
- Impact upon local residents through construction of the development
- Loss of residential amenity
- Increase vehicle journeys
- Submitted transport statement refers to sustainable transport options which is not suitable and misleading
- Highways response not suitable assessment of the impact on existing residents
- Visibility when exiting Granary Close onto Grantham Road poor
- Residents located at this junction would result in adverse quality of life
- Construction vehicles would struggle to access the development
- Road width of Granary Close unsuitable
- Impact upon pedestrian safety with vehicles travelling through Granary Close
- No engagement between the applicant and local residents
- Located within Flood Zone 3
- Inaccuracies and inconsistencies in the Flood Risk Assessment
- Risk of flooding unclear and not fully considered
- Alternative access should be used via Daybells Farm
- Boundary treatment on eastern boundary must be maintained
- Pumping station located in close proximity to neighbouring property

Appendix C: Recommended Conditions and Reasons:

1. Application for the approval of reserved matters shall be made within three years from the date of this permission and the development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

2. Approval of the following details (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced:

Appearance

Landscaping

Layout

Scale

The development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory appearance and impact of the development in accordance with Policies SS1 and D1 of the Melton Local Plan and Policies 1 and 15 of the Bottesford Neighbourhood Plan.

3. The reserved matters as required by condition 2 above, shall provide for a mixed of types and sizes of dwellings that will meet the area's local market housing need.

Reason: To cater for a range of housing needs and to accord with Policy C2 of the Melton Local Plan and Policies 1, 10 and 15 of the Bottesford Neighbourhood Plan.

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

Location Plan scale 1:2500

received by the Local Planning Authority on 28 June 2021

Reason: To ensure a satisfactory form of development in accordance with Policies SS1 and D1 of the Melton Local Plan and Policies 1 and 15 of the Bottesford Neighbourhood Plan.

5. Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings shall be 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 appearance in the interests of visual amenity to accord with Policies SS1, SS2 and D1 of the Melton Local Plan and Policies 1, 8 and 15 of the Bottesford Neighbourhood Plan.

6. No development shall commence on site until such time as the existing and proposed ground levels of the site have been submitted to and agreed in writing by the local planning authority. The approved proposed ground levels and finished floor levels shall then be implemented in accordance with the approved details.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity to accord with Policies SS1, SS2 and D1 of the Melton Local Plan and Policies 1, 8 and 15 of the Bottesford Neighbourhood Plan.

7. No development shall commence on site until a scheme that makes provision for waste and recycling storage and collection across the site have been submitted to and approved in writing by the Local Planning Authority. The details should address

accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme, in accordance with Policies SS1, SS2 and D1 of the Melton Local Plan and Policies 1, 8 and 15 of the Bottesford Neighbourhood Plan.

8. No development shall commence on site until all existing trees that are to be retained have been securely fenced off by the erection of post and rail fencing to coincide with the canopy of the tree(s), or other fencing as may be agreed with the Local Planning Authority, to comply with BS5837. In addition all hedgerows that are to be retained shall be protected similarly by fencing erected at least 1m from the hedgerow. Within the fenced off areas there shall be no alteration to ground levels, no compaction of the soil, no stacking or storing of any materials and any service trenches shall be dug and backfilled by hand. Any tree roots with a diameter of 5 cms or more shall be left unsevered.

Reason: In the interests of visual amenity in accordance with Policy D1 of the Melton Local Plan and Policies 1, 8 and 15 of the Bottesford Neighbourhood Plan.

9. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on drawing number 7826-03-01 Rev. D received by the Local Planning Authority on 16th June 2021 have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety in accordance with Policies D1 and IN2 of the Melton Local Plan and Policies 1, 8 and 15 of the Bottesford Neighbourhood Plan.

10. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with Policies D1 and IN2 of the Melton Local Plan and Policies 1, 8 and 15 of the Bottesford Neighbourhood Plan.

11. The following must be submitted to the Local Planning Authority in support of and approved within the first reserved matters application:

- Biodiversity net gain calculation
- Provision for a pedestrian access between the application site and the adjacent site to the West (17/00250/OUT)
- Provision for a pedestrian access between the application site and Public Right of Way F73 to the south
- The provision of details showing public open space within the layout
- Provision of a buffer zone adjacent to Southern boundary of the site
- Sustainability statement demonstrating the sustainable principles of the development
- Provision of on-site allotment space
- Demonstration that the layout achieves an integrated approach with the adjacent site

Reason: In order to ensure a satisfactory form of development in accordance with Policies SS1, SS2, D1, EN2 and IN2 of the Melton Local Plan and Policies 1, 2, 3, 7, 8 and 15 of the Bottesford Neighbourhood Plan.

12. No development above ground level shall take place until a plan showing a minimum of 3 swift boxes is provided to the Local Planning Authority for approval. Thereafter these should be included 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 and Policies 3 and 15 of the Bottesford Neighbourhood Plan.

13. 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.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, in accordance with Policies EN11 and EN12 of the Melton Local Plan and Policies 1, 6 and 15 of the Bottesford Neighbourhood Plan.

14. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase, in accordance with Policies EN11 and EN12 of the Melton Local Plan and Policies 1, 6 and 15 of the Bottesford Neighbourhood Plan.

15. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development, in accordance with Policies EN11 and EN12 of the Melton Local Plan and Policies 1, 6 and 15 of the Bottesford Neighbourhood Plan.

16. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy, in accordance with Policies EN11 and EN12 of the Melton Local Plan and Policies 1, 6 and 15 of the Bottesford Neighbourhood Plan.

17. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Policies EN11 and EN12 of the Melton Local Plan and Policies 1, 6 and 15 of the Bottesford Neighbourhood Plan.

18. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref RAB2156L, dated 8 July 2021 and compiled by RAB Consultants and the following mitigation measure it details:

- Finished floor levels shall be set no lower than 31.7 metres above Ordnance Datum (AOD) or a minimum of 150mm above the surrounding ground level, whichever is greater.

This mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with Policies EN11 and EN12 of the Melton Local Plan and Policies 1, 6 and 15 of the Bottesford Neighbourhood Plan.

19. If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a Remediation Method Statement has been submitted by the developer and approved by the LPA detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Paragraph 174, 183 and 184 of the National Planning Policy Framework.

20. No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- I. Procedures for maintaining good public relations including complaint management, public consultation and liaison
- II. Arrangements for liaison with the Council's Environmental Health Team
- III. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
 - 07:00 Hours and 19:00 Hours on Mondays to Fridays and
 - 08:00 and 13:00 Hours on Saturdays and
 - at no time on Sundays and Bank Holidays
- IV. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- V. Mitigation measures as defined in BS 5228: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise and vibration disturbance from construction works.
- VI. Procedures for emergency deviation of the agreed working hours.
- VII. Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: To secure the satisfactory development of the site and comply with Policy D1 Melton Local Plan and Policy 8 of the Bottesford Neighbourhood Plan.

21. Prior to the first occupation of each dwelling, an electric vehicle charging point shall be provided for each dwelling in accordance with details to be provided as part of the layout of the site. The approved charging points shall be provided prior to the first occupation of the dwelling to which they relate and shall be maintained as such for the life of the

development.

Reason: To promote the use of sustainable modes of transport in accordance with Policies EN8 and EN9 of the Melton Local Plan and Policy 9 of the Bottesford Neighbourhood Plan.

Appendix D : Informatives

1. A Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980. A separate application for a diversion of an existing Public Right of Way should be submitted under the Town and Country Planning Act 1990 to the Local Planning Authority. The applicant is not entitled to carry out any works directly affecting the legal line of Public Rights of Way until a Diversion Order has become operative.
2. Public Rights of Way must not be further enclosed in any way without undertaking discussions with the local Highway Authority (telephone 0116 305 0001). If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
3. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.
4. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Local Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and Leicestershire County Council as Local Highway Authority may be obliged to require its immediate removal.
5. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
6. 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>
7. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

8. The drainage scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.

9. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

10. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual householder ownership.

11. The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach.

12. 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.

Appendix E : Applicable Development Plan Policies

Melton Local Plan:

- Policy SS1 Presumption in Favour of Sustainable Development
- Policy SS2 Development Strategy
- Policy C1(A) Housing Allocations
- Policy C2 Housing Mix
- Policy C4 Affordable Housing Provision
- Policy C9 Healthier Communities
- Policy IN2 Transport, Accessibility and Parking.
- Policy D1 Raising the Standard of Design.
- Policy EN1 Landscape
- Policy EN2 Biodiversity
- Policy EN4 Areas of Separation
- 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

Bottesford Neighbourhood Plan:

- Policy 1: Sustainable Development and the Village Envelopes
- Policy 2: Protecting the Landscape Character
- Policy 3: Protecting and Enhancing Biodiversity
- Policy 5: Protecting and Enhancing Green Infrastructure
- Policy 6: Reducing the Risk of Flooding
- Policy 7: Improving Connectivity
- Policy 8: Ensuring High Quality Design
- Policy 9: Renewable Energy and Low Carbon Technologies
- Policy 10: A Mix of Housing Types
- Policy 12: Protecting Heritage Assets
- Policy 13: Supporting the Local Economy
- Policy 14: Enhancing the Provision of Community Facilities
- Policy 15: Development of BOT 1 Land to rear of Daybell's Farm and 18 Grantham Road
- Policy 20: Development Contributions
- Appendix J: Design Code

Other

- National Planning Policy Framework (2021)
- Affordable Housing and Housing Mix SPD
- Developer Contributions SPD
- Design SPD

Appendix F : Site Photographs



