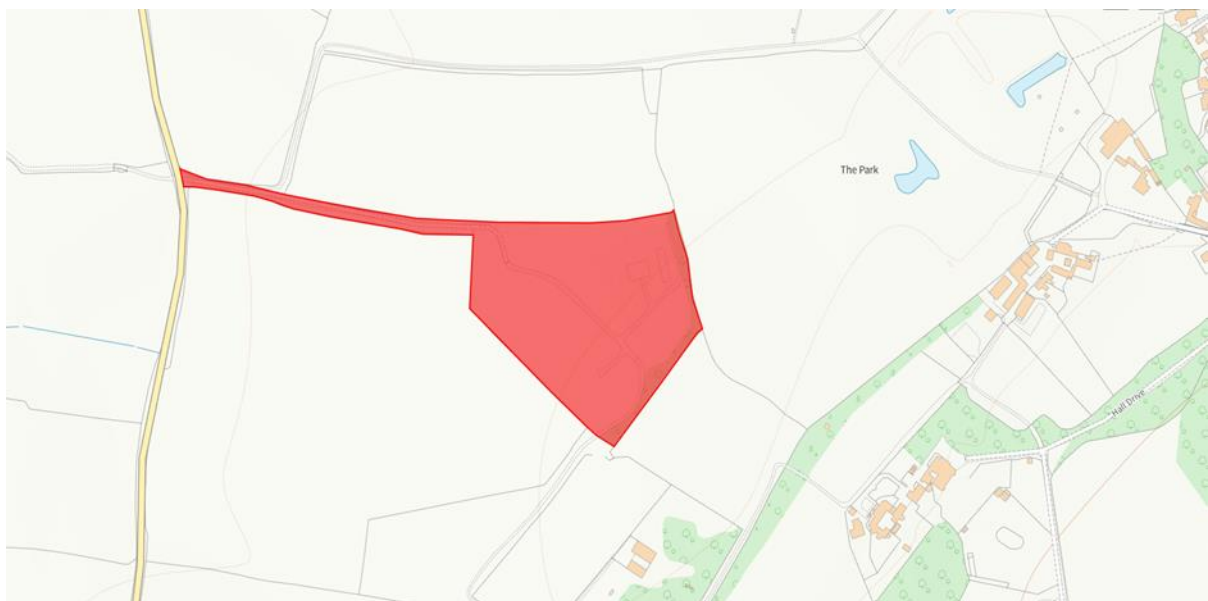




20/00438/REM at the former Sandy Lane Poultry Farm, Sandy Lane, Melton Mowbray for the reserved matters of layout, scale, appearance and landscaping of 30 dwellings in association with the outline approval 15/00537/OUT approved on 19 April 2017

Corporate Priority:	Delivering sustainable and inclusive growth in Melton
Relevant Ward Member(s):	Cllr R Child
Date of consultation with Ward Member(s):	12 May 2020
Exempt Information:	No

1 Summary



Planning Report

20/00438/REM at the former Sandy Lane Poultry Farm, Sandy Lane, Melton Mowbray for the reserved matters of layout, scale, appearance and landscaping of 30 dwellings in association with the outline approval 15/00537/OUT approved on 19 April 2017

- 1.1 The site is located in the open countryside and formerly occupied by poultry buildings as well as Nissen huts, but all buildings and structures have now been demolished. Access to and from the site is via Sandy Lane with the access road and site having established planting along their boundary. Surrounding the site are agricultural fields. Ground levels rise from Sandy Lane along the access road into the site.
- 1.2 Within the site there is a pond area where protected species are known to inhabit. Furthermore, there are known badger sets in and around the site as well. There is a Scheduled Ancient Monument (SAM) outside of but in close proximity to the east of the site.
- 1.3 The outline planning approval, reference 15/00537/OUT, approved the demolition of existing structures on the site and the re-development of the site to create 30 dwellings (Use Class C3) including the refurbishment of an existing Nissen Hut to create a community space (Use Class D1) space and associated open space, landscaping, drainage infrastructure and highways' improvements. The outline application included access provisions for the site. The development was approved subject to a Section 106 legal agreement on 19 April 2017.
- 1.4 The Section 106 agreement secured at the Outline stage requires financial contributions towards education, libraries, bus passes, civic amenities, off site Affordable Housing Contribution and upgrade costs towards the Village Hall alongside the provision of an on-site Nissen Hut Interpretive Centre. With regards to the Nissen Hut element of the s106 agreement, this requires details be submitted and approved but is not for consideration as part of this submission other than the location of the scheme which is to be considered within the layout. The plan below shows an area identified for the location of a scheme to be submitted, being in the south corner of the site.



1.5

Planning Report

20/00438/REM at the former Sandy Lane Poultry Farm, Sandy Lane, Melton Mowbray for the reserved matters of layout, scale, appearance and landscaping of 30 dwellings in association with the outline approval 15/00537/OUT approved on 19 April 2017

- 1.6 This reserved matters application relates to the outstanding reserved matter items of layout, scale, appearance and landscaping only with access having been approved as part of the outline approval.

RECOMMENDATION(S)
1. Approval subject to conditions at Appendix D

2 Reason for Recommendations

- 2.1 Outline permission with access via Sandy Lane has granted permission for residential purposes securing the principle of development and the residential use being established and acceptable.
- 2.2 Amended plans have been provided addressing points raised by statutory consultees, public comments and officers. A workshop event has also taken place between the applicant, Parish Council and Ward Member. The amended plans result in a development that continues to provide a variety of single and two-storey house types of differing designs, appearances and heights providing a variety within the site that relates to the development as a whole. The layout serves to provide a welcoming entry point from which the scheme develops in terms of the housing, around which, significant landscaping is proposed that enhances the development whilst also providing good levels of screening between the development and the adjacent Scheduled Ancient Monument.
- 2.3 The submission, through the receipt of amended plans and documents following productive dialogue with the agent and applicant taking account of consultee comments, represents an acceptable form of development through the reserved matters of layout, appearance, scale and landscaping. Whilst a number of objections have been received, officers consider that the development as currently proposed and taking account of the amended plans, satisfactorily addresses concerns raised.
- 2.4 It is considered that the development complies with policies within the Adopted Melton Borough Council Local Plan and the emerging Burton and Dalby Neighbourhood Plan.

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 from separate households contrary to the recommendation.

3.2 Relevant Policies

3.3 Melton Local Plan

- 3.3.1 Policy SS1 – Presumption in favour of Sustainable Development
- 3.3.2 Policy C2 – Housing Mix
- 3.3.3 Policy C3 – National Space Standard and Smaller Dwellings
- 3.3.4 Policy C4 – Affordable Housing Provisions
- 3.3.5 Policy EN1 – Landscaping
- 3.3.6 Policy EN2 – Biodiversity and Geodiversity
- 3.3.7 Policy EN6 – Settlement Character
- 3.3.8 Policy EN9 – Ensuring Energy Efficiency and Low Carbon Development

- 3.3.9 Policy EN12 – Sustainable Drainage Systems
- 3.3.10 Policy EN13 – Heritage Assets
- 3.3.11 Policy IN2 – Transport, Accessibility and Parking
- 3.3.12 Policy D1 – Raising the Standard of Design
- 3.4 **The Burton and Dalby Neighbourhood Plan** (emerging – referendum in December)

- 3.4.1 B&D1 – Landscape Character
- 3.4.2 B&D2 – Dark Night Skies
- 3.4.3 B&D8 – Ecology and Biodiversity
- 3.4.4 B&D12 – Design
- 3.4.5 B&D15 – Infrastructure
- 3.4.6 B&D18 – Rural Housing
- 3.4.7 B&D25 – Water Management

3.5 **Main Issues**

- 3.5.1 The main issues for consideration relate to the layout of the development, the appearance and scale of the development as well as the landscaping associated with the development. Alongside these, further areas for consideration comprise housing mix, heritage, amenity, internal highway proposals and ecology.

4 **Report Detail**

4.1 **Position under the Development Plan Policies**

- 4.1.1 Planning law states that planning decisions must be made in accordance with the development plan unless there are material considerations which indicate otherwise (section 70(2) Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 4.1.2 The provisions of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as amended) also need to be taken into account due to the sites location adjacent to a Scheduled Ancient Monument.
- 4.1.3 The Melton Local Plan forms the development plan and was adopted on 10th October 2018 and has full weight in decision making.
- 4.1.4 The Burton and Dalby Neighbourhood Plan has passed Regulation 16 consultation and is awaiting referendum which is likely to take place in December. As such the Neighbourhood Plan carries significant weight and is a material planning consideration in the determination of this planning application.
- 4.1.5 The National Planning Policy Framework (NPPF) and the associated National Planning Policy Guidance are also very important material considerations that carry great weight.

4.2 **Principle of Development**

- 4.2.1 The site is situated in the open countryside where the provisions of policies SS1 and SS2 would normally seek to resist this type of development. Furthermore the provisions of

policy B&D18, Rural Housing, in the Neighbourhood Plan (emerging) would also resist this development.

- 4.2.2 However, in this instance the site has outline permission with access for the demolition of structures on the site and subsequent residential re-development of the site. As a result of this outline permission, to which this reserved matters submission relates, the principle of development is acceptable.
- 4.2.3 In respect of the outline application and conditions attached to the approval, a number of conditions require details to be submitted to the Council as Local Planning Authority (LPA), for approval prior to any works commencing. Comments made in the letters of objection received have made reference to the demolition of the Nissen huts that were on-site at the time of the outline approval having been granted, and that their demolition is in conflict with the outline approval conditions.
- 4.2.4 It is accepted that the Nissen huts have been demolished contrary to the conditions attached to the outline planning consent, but their demolition does not go to the heart of the outline approval and while their demolition is a breach of planning, it cannot prejudice the determination of this reserved matters application. It should be noted that the conditions required to be discharged will be separate from this reserved matters submission, as will the requirements of the Section 106 agreement.
- 4.2.5 The Section 106 stated a 'Nissen Hut Interpretation Centre Scheme' meaning the Nissen Hut to be restored on site and to be used as a community centre and which will reflect the heritage of the site.
- 4.2.6 'Nissen Hut Interpretation Centre Scheme' meaning the scheme outlining the restoration and future use and maintenance of the Nissen Hut Interpretation Centre to be submitted by the Owner to the Borough Council in accordance with clause 3.3 and which shall include details of timings for the delivery of the scheme
- 4.2.7 Based on the requirements of the Section 106 Agreement full details of the Nissen Huts are not being considered as part of this application, as has been the case with other applications the full details will be submitted to and considered by the Local Planning Authority as part of a discharge of the Section 106 Agreement.

4.3 **Layout**

- 4.3.1 Since the application was submitted, and due to a number of statutory consultee, public and officer comments, the proposed site layout has developed and changed, resulting in amended plans having been submitted. The amended plans show the site accessed off Sandy Lane along the existing track as approved under outline permission reference 15/00537/OUT.
- 4.3.2 Once into the site there are 2 ponds – 1 each side of the road - in grassed and landscaped areas on to which 3 dwellings front, providing an attractive entry into the main area of the site. From here the internal road continues with 2 spurs off. The dwellings front onto the road making use of the sites existing landscaped boundaries to their rears.
- 4.3.3 A near centrally located pond with all dwellings arranged so as to front onto the road and centrally located open areas are also proposed. The dwellings all have generous rear garden areas as can be seen on the submitted Layout Plan. To the rear of the dwellings along the sites boundaries existing landscaping will be added to and enhanced using a

variety of native species of trees, shrubs and other planting with their being footpaths around some of these landscaped areas to provide an improved environment when travelling through the site.

- 4.3.4 The layout has also been designed to ensure that provision is made in respect of ensuring the continued retention and protection of protected wildlife species currently located on the site while also facilitating the enhancement of their habitat. The use of the landscaping, to be addressed in detail later in this report, not only serves to contribute to creating a sense of place in the layout, it also serves to improve the interaction between the built and natural form and limiting some of the impact on the nearby Scheduled Ancient Monument by providing natural screening.
- 4.3.5 The proposed layout indicates an area for the Nissen Hut can be located and this location ensures that sufficient space is available for the Nissen Hut that is required to be provided through the Section 106 agreement. The location of this area is situated such that it will be located in proximity to the dwellings so as to not be a stand-alone separate structure that detracts from the development which serves to ensure it is able to fit in with the development.
- 4.3.6 Officers consider that the layout is such that the various elements interact well with each other in a manner that represents an acceptable arrangement to the benefit of the development itself as well as the wider area. As such the layout of the development is acceptable in accordance with Policies EN1, EN6 and D1 of the Adopted Melton Local Plan as well as policies B&D1, B&D8 and B&D12 of the emerging Burton and Dalby Neighbourhood Plan.
- 4.3.7 Third party and consultee comments received highlight that the layout being considered differs from that provided as part of the approved outline application. It should be noted that as part of the outline application, the only items being considered were the principle of the development and the access arrangements. As such the drawings provided showing layout were purely indicative and served to show how the site could accommodate residential development in this location.
- 4.4 **Appearance and scale;**
- 4.5 The dwellings proposed comprise a mixture of bungalows (5) and two-storey dwellings (25) all with dual pitched roof above. This variation in height as well as footprint of the dwellings serve to provide a mix and variety in the development that work well within the site layout as well as with each other.
- 4.6 Their appearance share common features such as the use of hipped pitched roof, on single storey buildings and gables on 2-storey dwellings as well as varying ridge heights while also having different elements including varied porch locations and front / rear projections having heights different to each other but lower than the main roof ridge so as to ensure a variation in the dwellings that provides for areas of interest within the development. The dwellings have a mix of hipped and pitched roofs while the 2-storey dwellings also are a mix of traditional 2-storey with roof above and 2-storey where the upper floor has dormer type windows in the roof space.
- 4.7 There range of heights within the development are positioned in the layout to provide a rise and fall in the visual appearance of the development. This arrangement provides an

attractive visual impression while also serving to ensure areas of excessive scale and bulk are minimised creating visual interest when travelling through the site.

- 4.8 Principal room windows face to the front and rear of the site with all dwellings having private front and rear garden areas. The submission of materials is conditioned by the outline approval to ensure that an appropriate pallet is provided which will contribute to the local character of the area.
- 4.9 The garages, integral and detached, are all of simple designs that will fit in with the dwellings that they relate to so that they are not out of keeping with the character or appearance of the development nor the area.
- 4.10 Policy B&D12 of the Neighbourhood Plan (emerging) sets out that developments should reflect local characteristic and circumstance while creating and contributing to a high quality environment while also satisfying the design codes set out in the plan. There is also a requirement to have regard to the amenities of neighbouring sites and take account the provisions of Section 3 of the Burton and Dalby Design Code dated June 2021.
- 4.11 The site is isolated from the existing nearby settlements however the dwellings and garages have been designed in a manner that draws on features in these areas to enable a respectful appearance that takes accounts of these existing local features including roofs that are both hipped and pitched alongside varied roof levels and upper floor windows being in-line with those on the ground floor. While the contents of the Design Code indicate limited development outside of defined settlement boundaries, Officers consider that the scheme being considered here follows the principles set out in the Design Code document with regards to features such as appropriate respectful building heights, windows facing appropriately on corner plots alongside appropriately located door openings.
- 4.12 Collectively the dwellings and garages are of designs, appearance and scale that are considered to be acceptable. As such they comply with adopted policies EN1, EN6 and D1 of the Melton Local Plan as well as the provisions of policy B&D12 and the Burton and Dalby Design Code.
- 4.13 **Landscaping;**
- 4.14 The landscaping plans have been amended since their original submission as a direct result of discussions with technical consultees – most notably Historic England and Highways.
- 4.15 The amended plans provided show a large amount of planting and landscaping around the site in its entirety including the use of a large amount of native species. The scheme will see large levels of new planting to supplement existing landscaping to be retained with gaps in the existing hedgerows to be “plugged” with appropriate native species to reflect those currently on site resulting in a level of planting greater than currently provided on site. Such examples to be planted across the site include Hawthorn, Common Maple, Alder, Silver Birch, Oak, Lime, Laurel, The Dog Rose and English Lavender.
- 4.16 The species proposed will also serve to contribute to the enhancement of the SAM through the improved landscaping contributing to an improved buffer that separates the development from the SAM as has been sought by Historic England that minimises detrimental impacts from the development on the SAM and “which have reduced the level of harm that would be caused to the significance of the scheduled monument” to a point

where Historic England no longer object on these grounds. Within the context of the existing biodiversity that exists on the site, the species and quantities proposed will serve to ensure the enhancement of their habitat as a result of the planting and ecology works including the badger setts.

- 4.17 There is a footway through the landscaping area that contributes to a more rural nature of the development enabling enjoyment of the landscaping and planting proposed.
- 4.18 Policy B&D1 of the Burton and Dalby Neighbourhood Plan relates to landscape character, setting out that developments should be located and designed in a way that is sensitive to its landscape setting, retaining and, where possible, enhancing the distinctive qualities of the Local Landscape Character Area it would affect. It also sets out 4 ways in which development should contribute including the conservation and, where possible, enhance the character and qualities of the local landscape through appropriate design and management; the retention and, where possible, enhancement of features of landscape importance; and the safeguarding and, where possible, enhance important views and vistas including sky lines within the development layout.
- 4.19 Looking at the layout, landscaping, scale and appearance of the proposed development against the provisions of this Neighbourhood Plan Policy, Officers consider that the scheme – when looked at in terms of the separate and combined elements proposed – will contribute to a good quality of design of the proposed dwellings, alongside a layout that makes efficient use of the site in providing dwellings alongside a very good level of landscaping. Landscaping forming the retention of existing landscaping features including “plugged” areas and additional planting enhancing what is already on site. Furthermore, it will enable known ecological species to remain on the site in a manner that serves to ensure their protection while providing them with improved habitat. This is supported through the landscape management.
- 4.20 With respect to the adjacent Scheduled Ancient Monument, the development will serve to enhance the landscaping in close proximity to it in a manner that provides a good quality buffer to screen the development from the heritage asset so as to ensure that there is no detrimental impacts on it’s setting or historic importance and has been accepted by Historic England as to not cause significant harm to it. Detailed discussions and amendments have taken place between officers, the agent and Historic England to form a now acceptable scheme to which no objection is raised from statutory consultees.
- 4.21 Overall the landscaping proposed is considered to be acceptable and will comply with adopted policy EN1 of the Melton Local Plan as well as policy B&D1 of the emerging Burton and Dalby Neighbourhood Plan.

4.22 **Housing Mix**

4.23 In the amended form proposed the development comprises the following housing mix;

	1-bed	2-bed	3-bed	4+ bed
Market	0 (0%)	0 (0%)	10 (33.3%)	20 (66.6%)

4.24 Policy C2 of the Melton Local Plan sets out the optimum Housing Mix requirements within the Borough as follows;

	1-bed	2-bed	3-bed	4+ bed
Market	5%	30%	45 – 50%	15 – 20%

- 4.25 When assessed within the provisions of Policy C2 of the Melton Local Plan, it can be seen that the development proposes a mix of dwellings with a total of 5 bungalows and 25 houses. These provide a range of bedroom numbers between 3 and 5, there will be 10 x 3-bed units (33.3%), 8 x 4-bed units and 12 x 5-bed units (66.3%). It can be seen from the above table comparison the housing mix differs from what is set out in the Local Plan as being the optimum mix for the Borough.
- 4.26 The housing mix incorporates 5 x 3 bedroom bungalows, which is considered to be a good amount for a site of 30 dwellings and particularly suitable for this site. It is considered that they would positively contribute to the development itself as well as the Borough, the provision of bungalows is supported through both the Local and Neighbourhood Plan and is a positive contribution to this scheme.
- 4.27 Whilst it is accepted that the mix of dwellings proposed falls outside of the optimum housing mix, due to the specific location of this site and the provision of bungalows, the mix is not considered unacceptable
- 4.28 It should be noted that the optimum housing mix requirements in Table 8 of the Local Plan are for the whole of the Borough, rather than required at a prescribed range of percentages on every site, and each site must be assessed on its own merits.
- 4.29 For reference it should be noted that while no affordable units are proposed through this reserved matters submission, a commuted sum of £880,000.00 was secured through the Section 106 legal agreement at outline stage to go towards affordable housing provision, thus ensuring an affordable housing provision is met. While current preference is for the provision of affordable housing on-site, as this is a reserved matters submission, there is no mechanism to re-consider this point.
- 4.30 **Impact upon residential amenities**
- 4.30.1 The layout of the development and the siting of the dwellings within that layout are such that when assessed against existing nearby dwellings there will be no over-looking or loss of light on their existing residential amenity due to the distances involved. While each dwelling does have 1 or 2 flank wall windows these serve first floor landings and or toilets. There are also a small number with secondary doors on flank walls which affords additional access to the rear gardens but does not result in any overlooking from these design features.
- 4.31 Furthermore, the arrangements of the dwellings within the layout is such that there will be no over-bearing or dominating impacts from any of the dwelling proposed on the other dwellings within the development.
- 4.32 Policy B&D2 of the Burton and Dalby Neighbourhood plan relates to dark night skies and requires proposals to demonstrate all opportunities to reduce light pollution have been taken while ensuring the measured and observed sky quality in the surrounding area is not unacceptably affected. It continues that if the installation of lighting is unavoidable, necessary and appropriate for new development, adverse impacts should be mitigated by control measures to reduce light pollution. No details of external lighting on the application

have been provided however a condition (No. 6) has been recommended requiring details of this to be provided to ensure as minimal impact upon the night skies as possible takes place.

- 4.33 Overall the development will not impact upon existing or proposed amenities and the proposal complies with adopted policies EN1 and D1 of the Melton Local Plan alongside policy B&D2 of the emerging Burton and Dalby Neighbourhood Plan.
- 4.34 **Highways and parking;**
- 4.34.1 The access to and from the site is via Sandy Lane which was approved at the outline application stage. This location is not being altered through this submission.
- 4.34.2 Through the amended plans provided, the scheme has been assessed by LCC Highways as the relevant Local Highway Authority (LHA).
- 4.34.3 While the LHA initially commented that the originally submitted scheme did not fully assess the highway impacts of the development, based on the amended plans and additional information provided they consider that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021) subject to conditions.
- 4.34.4 With regards to parking, as set out in the table in 4.19 above, the development comprises 30 dwellings (bungalows and houses) with each having 3 or more bedrooms. On the basis of the bedroom numbers proposed for each dwelling there is a requirement for the provision of 2 parking spaces for the 3-bed dwellings and 3 parking spaces for those dwellings with 4 or more bedroom. This is as per current standards.
- 4.34.5 An assessment of the parking spaces for the dwellings shows that these standards will be met and provided. The spaces are provided by way of garages as well as open spaces to the front or side of the dwellings. While the required number of spaces are provided for each dwelling, it is considered appropriate to attach a condition to any approval requiring the parking be provided prior to first occupation and retained thereafter for parking purposes.
- 4.34.6 The internal road layout and parking provision is considered acceptable and is in accordance with Policy D1 of the Melton Local Plan, Emerging Policy B&D15 of the Neighbourhood Plan and the principles outlined in the Adopted Design of Development Supplementary Planning Document (SPD).
- 4.34.7 **Heritage;**
- 4.35 Outside of, but in close proximity to the western side of the site is the St Mary and St Lazarus Hospital, moated site and two fishponds that comprise together to form a Scheduled Ancient Monument (SAM). Historic England have been consulted on the development and have engaged with Officers and the Agent for the application during the consideration of this proposal.
- 4.36 Historic England initially objected due to significant concerns relating to the development adversely affecting this heritage asset as well as its setting due to the harm it would have

on the significance that the scheduled monument derives from its setting. This was due primarily to the proposed landscaping and layout of the development.

- 4.37 Following continued dialogue between Historic England, officers, the applicant and their agent, including landscaping advisor, amended layout and landscaping plans were received altering the layout and landscaping elements of the proposal as a result of the discussions.
- 4.38 Through the discussions and amended plans, following re-consultation Historic England have commented that they acknowledge the positive steps taken in the latest iteration of this scheme, which have reduced the level of harm that would be caused to the significance of the scheduled ancient monument. On this basis, they no longer object to the application on heritage grounds, requesting that safeguards are put in place to secure mitigating elements.
- 4.39 Historic England also commented that the re-instatement of dense planting to the boundaries with the scheduled monument, will, in the long term, help to limit the visual impact of the proposal on the scheduled monument. Although the screening benefits will be limited before the planting has matured, ultimately the changes made in this latest proposal reduce the level of harm from that of previous versions.
- 4.40 Furthermore Historic England remains of the view that even when the planting matures, glimpsed views are likely to be possible. In particular, this is likely when moving through the landscape, in winter, and in areas where the band of planting is thinner. Together with the increased activity and associated sensory effects associated with residential use, this will lessen the sense of the monument's isolation from society, causing a degree of harm.
- 4.41 Following from this response, officers have looked at the amended scheme. The development will, by its nature on a site where previous buildings were Nissen huts of limited height, introduce a development of more urban feel than previously existed and this change will bring associated impacts on the adjacent SAM.
- 4.42 Such impacts include greater height, noise, traffic, people and light during evening periods. Further to this, the development will fill gaps in the existing hedgerows and supplement this with a high level of additional planting across the site that includes particular attention having been paid to the sites boundary with the heritage asset.
- 4.43 Ecological habitat creation and enhancement relating to Badgers and Great Crested Newts already in-situ on site will occur with some being in proximity to the sites boundary with the SAM. This will, in Officers' opinion, ensure the landscaping along that boundary is of a good level that minimises unacceptable impacts on the SAM. This opinion is supported by Historic England who have removed their objection.
- 4.44 As such Officers are satisfied that any harm resulting from the development is clearly and convincingly justified and outweighed by the public benefits of the proposal in accordance with National Planning Policy Framework (NPPF) paragraphs 200 and 202. This is due in part to the outline approval as well as the need for residential dwellings and the changes to the development secured through positive dialogue with the applicant. Furthermore, condition 4 of the outline approval requires the submission of a landscape management plan including for its long term management which will serve to ensure that the sites relationship with the adjacent heritage asset is protected and maintained.

4.45 Overall officers consider the proposal is acceptable and will not result in any unacceptable or detrimental impacts on designated heritage assets in a manner that would justify a refusal being issued and the proposal is in accordance with Policy EN13 of the adopted Melton Local Plan.

4.46 **Ecology**

4.46.1 A number of protected species are known to currently occupy the site and on this basis LCC Ecology were consulted.

4.46.2 Initial comments flagged a number of concerns including the site layout being different to that at the outline application stage. Their comments also included the absence of up-dated surveys as part of the submission. These points were put to the applicant and agent and revised information was received.

4.46.3 LCC Ecology have reviewed the revised documents submitted and are satisfied that the information provided is acceptable subject to the inclusion of conditions requesting final details of mitigation to be provided to and discharged by the LPA. On this basis they have no objections to the scheme.

4.46.4 Within the Burton and Dalby emerging Neighbourhood Plan Policy B&D8 relates to ecology and biodiversity which seeks to safeguard local ecological features shown within the emerging Neighbourhood Plan whilst also seeking to maintain and where possible enhance these and other ecological habitats and features.

4.46.5 Within the proposed scheme are measures to ensure existing on-site species – notably Badgers and Great Crested Newts – are protected while also provided with improved habitat and other features they require so as to ensure the provisions of this policy to safeguard the existence on the site. This is alongside the existing trees and hedgerows that will be retained and enhanced through the plugging of existing hedgerow gaps alongside other landscaping provided that includes shrubs, hedgerow and trees which will in turn provide for enhanced habitat on the site.

4.46.6 It is therefor considered that the proposal complies with policy EN2 of the Melton Local Plan and policy B&D8 of the emerging Burton and Dalby neighbourhood Plan.

4.47 **Drainage**

4.47.1 Initial comments received from Leicestershire County Council as Lead Local Flood Authority (LLFA) indicated that they had no objections to the development.

4.47.2 As a result of third party comments made to the LLFA, a response was received removing their comment of no objection to the proposal on the grounds of the drainage details having changed. This related to the location of drainage features on the road along which access to and from the site is secured.

4.47.3 Following discussions between the applicant, their agent, their drainage advisors and officers, details were received setting out the access arrangements, location of drainage and ownership points relating to the discharge point. These details were provided to the LLFA for up-dated comments.

4.47.4 Based on this information provided, the LLFA commented that although it confirmed that the outfall is located outside of the development boundary, the outfall is located within the ditch/verge of a public highway and as such, access is possible for maintenance.

- 4.47.5 Taking account of emerging Neighbourhood Plan Policy B&D Policy 25, on water management, the policy seeks the use of sustainable drainage (SuDs) measures within scheme. In this development a number of ponds are proposed that serve as sustainable drainage means which serve to address the points raised within this policy.
- 4.47.6 On this basis officers are satisfied the proposal is acceptable in terms of being able to provide sufficient space within the proposed layout for a drainage scheme to be located.
- 4.47.7 Drainage provision has been secured by Condition 14 of the Outline Planning Permission reference 15/00537/OUT the condition requires the full submission of details prior to commencement of development to be submitted to the Local Planning Authority for consideration and at that point technical information will be submitted to and considered by both the LPA and the LLFA.

5 Consultation & Feedback

- 5.1 Site notices were displayed along with neighbours being notified by letter.
- 5.2 A total of 16 letters of objection from 11 addresses and 1 letter of support have been received and are summarised in the appendices of this report.

6 Financial Implications

- 6.1 Not applicable.

Financial Implications reviewed by: N/A

7 Legal and Governance Implications

- 7.1 Legal implications, where applicable, have been included in the main body of the report. No specific issues are identified. Legal advisors will also be present at the meeting.

Legal Implications reviewed by: Tom Pickwell (Solicitor)

8 Background Papers

- 8.1 15/00537/OUT - Demolition of existing structures and redevelopment of the site to create 30 dwellings (Use Class C3) including the refurbishment of an existing Nissen Hut to create a community space (Use Class D1) space for biomass boiler and associated open space, landscaping, drainage infrastructure and highways' improvements – Approved subject to a Section 106 Agreement – 19 May 2017
- 8.2 15/00410/EIA - Residential development of up to 30 homes and associated environmental improvements – Not required – 16 June 2015
- 8.3 14/00441/FUL - Development of a poultry farm (agricultural use) comprising seven poultry sheds, one farm worker dwelling and associated landscaping, drainage infrastructure and highways improvements – Allowed at appeal – 19 February 2016.

9 Appendices

- 9.1 Appendix A – Site History
- 9.2 Appendix B - Consultee Responses
- 9.3 Appendix C – Third Party Responses
- 9.4 Appendix D – Conditions

9.5 Appendix E - Informatives

Report Author:	Richard Redford , Senior Planning Development Officer
Report Author Contact Details:	01664 502338 richardredford@melton.gov.uk
Chief Officer Responsible:	Peter Baguley , Assistant Director for Planning
Chief Officer Contact Details:	01664 502359 pbaguley@melton.gov.uk