



## **21/01134/FUL Demolition of existing bungalow and storage buildings, erection of 3 no. new single storey dwellings, construction of new driveway, replacement of existing vehicle bridge over brook + new flood compensation area.**

**Hybrid Application -New dwelling on Plot 1, new driveway and replacement of vehicle bridge (Full planning)**

**Residential Plots 2 and 3 + new flood compensation area (layout to be considered) (Outline planning)**

**Overbrook, 2 Mill Lane, Long Clawson, LE14 4NU**

**Applicant: Mr and Mrs Adrian Cooke and Mr and Mrs Andrea Folwell**

**Planning Officer: Andrew Cunningham**

<b>Corporate Priority:</b>	Delivering sustainable and inclusive growth in Melton
<b>Relevant Ward Member(s):</b>	Christopher Evans and Simon Orson (Long Clawson and Stathern)
<b>Date of consultation with Ward Member(s):</b>	12 December 2022
<b>Exempt Information:</b>	No

## Reason for committee determination

The application is required to be presented to the Committee as the application has been called into Committee at the request of the Local Ward Member.

**Web Link:** <https://pa.melton.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R0AUXGKOFV800>

**What 3 words:** <https://what3words.com/tentacles.smothered.awake>

<b>RECOMMENDATION(S)</b>
<p>1. Approve subject to Conditions detailing the following</p> <p>Whole Scheme</p> <ul style="list-style-type: none"><li>- Construction work and delivery hours</li><li>- Submission of a construction traffic/site traffic management plan</li><li>- Contamination remediation</li><li>- Submission of surface water drainage and management scheme</li><li>- Submission of method statement for amphibian and reptile mitigation</li><li>- Submission of ecological enhancement strategy</li><li>- Removal of permitted development rights</li><li>- Submission of material details</li></ul> <p>Outline application</p> <ul style="list-style-type: none"><li>- Submission of reserved matters</li><li>- Approval of details (Access, Scale, Appearance, Landscaping)</li><li>- Plan condition</li><li>- Submission of levels</li></ul> <p>Full application</p> <ul style="list-style-type: none"><li>- Time limitation</li><li>- Plan condition</li><li>- Submission of landscaping</li><li>- Implementation of access arrangements, visibility splays, parking and turning.</li><li>- Submission of drainage details in relation to the proposed replacement vehicle bridge</li></ul>

## 1 Executive Summary

- 1.1 This is a hybrid planning application consisting of the
- Full planning application for the replacement of vehicle bridge, new driveway and one new dwelling on plot 1; and
  - Outline planning application for the development of 2 residential plots (2 & 3) and new flood compensation area with the matters of layout to be considered.

- 1.2 Amended and additional documents have been received during the course of the application including a Flood Risk Technical Note and an Extended Phase 1 Habitat Survey and Stage 2 Bat Emergence Survey to address concerns raised regarding flooding and biodiversity.
- 1.3 The application follows a previously refused application (reference 20/00219/FUL) which was refused for the following reason:
- ‘The proposed car park would be in a prominent location and would be unattractive and inconveniently located. It would have an unacceptably detrimental impact on ‘view 16’ as identified in the Clawson, Hose and Harby Neighbourhood Plan 2018 which makes an important contribution to the local distinctiveness of the landscape and the character of the settlement.
- The proposal would therefore be contrary to policies EN1, EN6 and C9 of the Adopted Melton Local Plan 2018 and ENV 8 and H7 (d) of the Clawson, Hose and Harby Neighbourhood Plan 2018.’
- 1.4 This application is same as previously proposed except for the removal of the car park and the dwelling proposed on the eastern part of the site. The application only consists of the 2 Mill Lane site on the western side of Mill Lane and proposes in effect a replacement dwelling and two new dwellings.

## Main Report

### 2 The Site

- 2.1 The application comprises the site known as Overbrook, 2 Mill Lane in Long Clawson. 2 Mill Lane currently comprises a large residential plot with one single storey property and a number of single storey outbuildings. This area of land is sited on the edge of the village with open countryside to the south and residential properties to the west and north.
- 2.2 The application site sits within the Conservation Area of Long Clawson and within the defined Limits to Development within the Neighbourhood Plan.

### 3 Planning History

- 3.1 20/00219/FUL -  
2 Mill Lane -

Demolition of existing bungalow and small storage buildings, replacement of existing vehicle bridge over brook, construction of new driveway, construction of 3 no. new single storey dwellings, construction of new carpark area for surgery parking only, new flood compensation area adjacent to brook.

Land between 9-11 Mill Lane -

Removal of carpark area, construction of 1no. New dwelling.

Hybrid application

Full planning - replacement of vehicle bridge, new driveway and new dwelling on plot 1.

Outline planning - residential plots 2, 3 & 4, new carpark area, new flood compensation area. Matters of layout to be considered.

### 3.2 Refused 5 March 2021 for the following reason

The proposed development, by virtue of the introduction of a car park in a prominent location, would be unsympathetic to its surroundings and would have an unacceptably detrimental impact on 'view 16' as identified in the Clawson, Hose and Harby Neighbourhood Plan 2018. The proposal would therefore be contrary to policies EN1, EN6 and EN13 of the Adopted Melton Local Plan 2018 and ENV 8 and H4 of the Clawson, Hose and Harby Neighbourhood Plan

## 4 Proposal

4.1 This application proposes a hybrid type of planning application, a hybrid planning application seeks outline planning permission for one part of a site and full planning permission for another part of the same site under a single application.

4.2 In this instance the full planning application relates to 1 new dwelling, new driveway and replacement of vehicle bridge.

4.3 The outline part of this application relates to 2 new dwellings and new flood compensation area of which only the layout of this proposal is for consideration.

## 5 Amendments

5.1 Amended and additional documents have been received during the course of the application including a Flood Risk Technical Note and an Extended Phase 1 Habitat Survey and Stage 2 Bat Emergence Survey to address concerns raised regarding flooding and biodiversity.

## 6 Planning Policy

### National Policy

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

National Design Guide

### Melton Local Plan

Policy SS1 Presumption in Favour of Sustainable Development

Policy SS2 Development Strategy

Policy IN2 Transport, Accessibility and Parking

Policy D1 Raising the Standard of Design.

Policy EN1 Landscape

Policy EN2 Biodiversity

Policy EN6 Settlement Character

Policy EN9 Energy Efficient and Low Carbon Development

Policy EN11 Minimising the risk of Flooding

Policy EN12 Sustainable Drainage Systems

Policy EN13 Heritage Assets

## **Clawson, Hose and Harby Neighbourhood Plan**

Policy H1: Housing Provision

Policy H3: Limits to Development

Policy H4: Windfall Sites

Policy H7: Housing Design

Policy ENV4: Biodiversity

Policy ENV7: Protection of Great Crested Newts and their Habitats

Policy ENV8: Protection of Important Views

Policy ENV9: Flooding

Policy ENV10: Renewable Energy Generation Infrastructure

Policy T4: Parking

## **Other**

Design of Development SPD

The Local Planning Authority has a 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 and to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Considerable importance and weight should be applied to these duties, even where the harm identified is less than substantial.

## **7 SUMMARY of RESPONSES**

### **SUMMARY OF TECHNICAL CONSULTATION RESPONSES**

- Highways – No objection subject to conditions
- Archaeology – No objection
- LCC Lead Local Flood Authority – No objection and refers to standing advice
- EA – No objection
- Severn Trent – No objection

## **SUMMARY OF REPRESENTATIONS**

### **Ward Member(s)**

- Request for call in to Planning Committee

### **Parish Council**

- Object to the application for the following reasons
- Flooding
- Proximity to boundary of existing development
- Inappropriate massing and overbearing
- Removal of Hedgerow
- Impact on landscape and important views
- Parking
- Pedestrian access
- Maintenance of water retention feature

### **Neighbours**

3 objections from 3 separate households have raised the following concerns

- Decimate views and the whole character of the village
- Cramped form of development
- Previously refused application
- Site susceptible to flooding and surface water flooding issues
- Lack of services or infrastructure within the village
- Impact upon the conservation area
- Infill with more housing
- Detrimental impact upon views, light and overlooking of adjacent properties
- Land outside of applicants' control
- Diminishing wildlife
- Capacity of the culvert and constantly being blocked leading to flooding in the area
- Lack of detail, testing and consideration on flood risk
- No identified need for additional dwellings
- Submission of 3 drainage and flood study reports

## **RESPONSE TO CONSULTATIONS AND REPRESENTATIONS**

7.1 Comments regarding character, built form and flooding are considered in full during the report, it should be noted that Infrastructure contributions would not be considered

reasonable or proportionate given that the application only seeks the addition of 2 new dwellings (and 1 replacement).

- 7.1.1 The lack of need for any new dwellings would not be a material planning consideration, sustainability and the provision of new housing is discussed further within the report.
- 7.1.2 Ownership and access rights would be a civil matter.
- 7.1.3 Loss of view from a residential property is not a material planning consideration.

## **8 PLANNING ANALYSIS**

8.1 The main considerations are

- Compliance with Development Plan Policies
- Principle of Development
- Impact upon the character of the area and heritage assets
- Impact upon residential amenities
- Impact upon highways and parking
- Impact upon ecology
- Impact on flood risk
- Impact on archaeology

### **Compliance with Development Plan Policies**

- 8.2 The site is located along Mill Lane in Long Clawson 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 sets out the strategy of delivering housing across Melton borough through identifying the most suitable locations for new housing within a settlement hierarchy, devised from sustainable credentials. Long Clawson is identified in the Local Plan as a Service Centre.
- 8.2.1 Policy SS2 of the Melton Local Plan sets out the development strategy for the Borough for housing and employment and states development will be distributed across the Borough in accordance with the spatial strategy.
- 8.2.2 Service Centres and Rural Hubs will accommodate approximately 35% of the Borough's housing residual requirement\* (1822) on a proportionate basis. This will be delivered by planning positively for the development of sites allocated within and adjoining the Service Centres and Rural Hubs by 2036, and by encouraging small scale residential development, where it would represent sustainable development under Policy SS1
- 8.2.3 Policy H1 of the Neighbourhood Plan states that planning permission will be granted in the Plan area for new dwellings through allocations and windfall sites that accord with Policy H4 of the Neighbourhood Plan. Policy H4 of the Neighbourhood Plan states that residential development proposals on infill and redevelopment sites will be supported subject to

proposals being well designed and meeting relevant requirements set out in other policies in this Plan.

8.2.4 The application site lies within the Limits of Development.

8.2.5 Other material considerations are the National Planning Policy Framework (NPPF) and the Long Clawson Conservation Area Appraisal.

## **Principle of Development**

8.3 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.

8.3.1 Long Clawson is considered to be a sustainable location and is identified as a 'Service Centre' and as such is appropriate for a limited quantity of development in the form of allocations and accommodation of smaller sites.

8.3.2 Given the siting within Long Clawson, a Service Centre, this development is considered to fall under the provisions of 'windfall' development within the Melton Local Plan.

8.3.3 The application site is located within the defined limits to development as set out in the Neighbourhood Plan and would therefore comprise windfall development in accordance with Policy H4 of the Neighbourhood Plan, subject to proposals being well designed and meeting relevant requirements set out in other policies in this Plan.

8.3.4 As such, the principle of development is considered to be acceptable subject to satisfying all other material planning considerations.

## **Impact upon the character of the area and heritage assets**

8.4 The land at 2 Mill Lane currently comprises a single storey property and a number of single storey outbuildings, all of which are of no architectural merit and appear to stand out from, and do not relate to, the adjacent buildings to the north and west. It is proposed to demolish all buildings on site and replace with 3 dwellings in a courtyard style layout.

8.4.1 Plot 1 is subject to full consideration with only the layout of Plots 2 and 3 for consideration.

8.4.2 The removal of the existing dwelling and buildings would be considered to result in an overall improvement of the existing site and by virtue of the proposed layout the scheme would be considered a betterment to the existing situation as a result of the improved relationship to the adjacent properties and Mill Lane itself.

8.4.3 The courtyard layout proposed would be suitable for this Conservation Area site and due to the siting of the dwellings on the western side of the plot, the development would to an extent infill built form between the existing properties to the North West and South West.

8.4.4 A degree of openness and permeability can also be achieved through the site with low level post and rail fencing at the front of the site for this rural-edge location.



- 8.4.5 Plot 1 and 3 are to be sited in close proximity to the existing residential properties to the north and west and would be a continuation of the existing built form. Plot 2 would not be considered to appear unduly prominent or out of keeping with the adjacent built form.
- 8.4.6 The high quality details of Plot 1 are acceptable with the design reflecting that of this village edge site with materials of red brick, clay tile and timber cladding suitable for the siting within the Conservation Area. Full details of materials and landscaping are to be submitted by condition for Plot 1.
- 8.4.7 In respect of Plots 2 and 3, the courtyard style layout is considered acceptable as detailed above and although this is outline, it is expected that the appearance, scale and design of these dwellings are to reflect that of Plot 1 and indeed this can be secured at reserved matters stage.
- 8.4.8 The proposed dwellings Plots 1-3 although on land set higher than the road would sit approximately level with the adjacent properties to the North West and therefore would not appear out of character or prominent in the context of the surrounding properties. Plots 1-3 would be viewed against the adjacent and existing properties given their siting set back within the site. It is indicated that all dwellings are to be single storey which would ensure again that the visual prominence of the development is reduced
- 8.4.9 Overall it is considered that by virtue of the removal of the existing unsympathetic buildings, and the layout, traditional materials sought through condition and detailed design that are proposed and can be secured at Reserved Matters stage that the development would preserve and enhance the traditional character of the area and the Conservation Area within which the site sits and providing visual public benefits. The development of this part of the site is considered to comply with the Provisions of Policies H4 and H7 of the Neighbourhood Plan in respect of design, and reflecting that of the character of the area.
- 8.4.10 Policy ENV8 (Protection of Important Views) of the Neighbourhood Plan identified a number of important views in the Parish and states that "proposals which would have an unacceptably detrimental impact on these views and vistas will not be supported."
- 8.4.11 Important view 16 is identified as an important view which runs across the front of this part of the site. The Neighbourhood Plan states view 16 as the following:  
'Views both in (north) and out (south) of Long Clawson along Mill Lane. This was once called Holwell Road and was a main route out of the village, but now it leads only to footpaths and bridleways and is, as such, very popular with dog walkers, ramblers, horse riders and families. After the Mill there are panoramic views across the village to open countryside. The importance of the views from The Sands (looking south out of the village) were highlighted in an Inspector's report that refused a planning application on Mill Lane. Fully accessible from public rights of way and highways.'
- 8.4.12 When approaching the village along Mill Lane, development is set back into the western part of the site with plots 1-3 set adjacent to the existing properties in the vicinity. This would ensure that the new dwellings (Plots 1-3) would not significantly alter the roofline or interrupt the current view from Mill Lane northwards towards the village. The dwellings would be seen in the context of and the backdrop of the existing buildings, as detailed on the submitted site section drawing which show the proposed dwellings sat adjacent to the existing buildings to the North West, retaining the open and uninterrupted views across the front of the application site.

- 8.4.13 Views out of Long Clawson to the countryside would not be considered to be disrupted by the introduction of plots 1-3 for similar reasons that the dwellings are set back within the site, with the existing properties to the north predominantly obscuring the proposed dwellings from views out from the village.
- 8.4.14 As such it is considered that the proposed plots 1-3, due to their set back nature within the site, would form part of and be seen only in the context of the village and would not adversely change the view from further afield back towards Long Clawson.
- 8.4.15 To ensure any associated residential paraphernalia would not result in any additional built form, permitted development would be restricted for any ancillary outbuildings or indeed extensions which may impact upon the courtyard layout currently proposed.
- 8.4.16 The previous application (reference 20/00219/FUL) was refused in part due to the prominent location of the car park which would be unattractive and unacceptably detrimental impactful on 'view 16'. Given that this application removes the car park from the proposal, this part of the reason for refusal is therefore overcome.
- 8.4.17 Overall it is not considered that the development of this parcel of land at 2 Mill Lane would have a detrimental impact on this view 16 both in and out of the village given the dwellings are considerably set back into the site, viewed against the existing properties and open views would remain into and out of the village.
- 8.4.18 On balance, it is considered that the overall scheme would be assimilated into the surrounding area, would not adversely impact upon the character and appearance of the site, surroundings and would not have an unacceptably detrimental impact on the important view.
- 8.4.19 The application would not conflict with the provisions of policies D1, EN1, EN4 or EN6 of the Melton Local Plan.
- 8.4.20 The application would also not conflict with the provisions of Policies H4, H7 or ENV8 of the Neighbourhood Plan given its location, siting and proposed appearance.
- 8.4.21 The application site and proposed development is, therefore, considered to be appropriate in relation to landscape character and visual amenity.

### **Impact upon residential amenities**

- 8.5 Plot 1 is to be sited on the western edge of the site, adjacent to the boundary with no. 5 Back Lane and the property to the south west of the application site. Plot 1 is a single storey property and subject to full consideration and is sat at its closest point approximately 2.3 metres from the boundary with no. 5 and due to the tapered boundary this would extend to approximately 2.7 metres.
- 8.5.1 Plot 1 itself would be sited approximately 10 metres from the rear elevation of no. 5 and due to the single storey nature and roof pitching away from the boundary, the introduction of this dwelling is not considered to significantly result in an overbearing impact or poor outlook for the occupiers of no. 5 to warrant refusal. A separation distance of approximately 10 metres is not unusual between buildings of such scale. Due to the single storey nature, there would be no adverse overlooking impacts to adjacent properties from plot 1. Given the proximity

to no. 5, it is considered reasonable and necessary to restrict permitted development for extensions or alterations to the roof for plot 1.

- 8.5.2 Plot 1 is also located in close proximity to no. 9 Back Lane boundary to the west however Plot 1 is to be sited adjacent to an outbuilding associated with no. 9. Therefore due to the siting and single storey nature of Plot 1, there would not be any adverse impacts from Plot 1 upon no. 9 in respect of overbearing, loss of light or overlooking.
- 8.5.3 Plot 2 is set significantly away from any existing properties and as such would not result in any adverse impacts upon the residential amenity of any adjacent properties.
- 8.5.4 Plot 3 would be set over 3 metres from the boundary with no. 1 Back Lane and replaces a number of existing outbuildings. Although scale is not for consideration it is indicated that the dwelling would be single storey in height and this would ensure that the residential amenity of no. 1 Back lane, in terms of outlook and overbearing, would not be adversely impacted.
- 8.5.5 Sufficient residential amenity space is provided (or indicated) for all plots.
- 8.5.6 The proposal would not have an adverse impact on the amenity of neighbouring land uses.

### **Impact upon highways and parking**

- 8.6 Policy D1 states that development proposals should include appropriate, safe connection to the existing highway network and should make adequate provision for car parking. Policy IN2 requires that development does not unacceptably impact on the safety and movement of traffic on the highway network and provides appropriate and effective parking provision and servicing arrangements.
- 8.6.1 Policy H7 of the Neighbourhood Plan states that development should provide adequate off-road parking in accordance with Policy T4.
- 8.6.2 Policy T4 of the Neighbourhood Plan states that adequate off-road parking should be provided as a minimum of two car parking spaces for dwellings of two bedrooms or less, three spaces for dwellings of three bedrooms or more.
- 8.6.3 Mill Lane is subject to a 30mph speed limit and is an adopted unclassified no through road. The existing bridge which leads into the site over the brook is to be removed with a new wider bridge measuring 5.5m to be constructed slightly further to the north to allow for easier access.
- 8.6.4 Visibility splays of 2.4m by 43m are demonstrated which is in accordance with the Leicestershire Highway Design Guide.
- 8.6.5 The access point on Mill Lane is considered acceptable in terms of highway safety and LCC Highways advice that the proposal would not result in impacts on the road network that would be severe.
- 8.6.6 3 parking spaces are provided for Plot 1 which would be acceptable in relation to the provisions of Policy T4 of the Neighbourhood Plan and the Leicestershire Highway Design Guide.

- 8.6.7 Sufficient parking could be achieved (as indicated on the site plan) for plots 2 and 3 that would be in accordance with the provisions of Policy T4 of the Neighbourhood Plan. Indeed the final housing mix (in terms of the number of bedrooms for these dwelling) could ensure that sufficient parking is achieved in line with the Neighbourhood Plan.
- 8.6.8 Concerns have been received regarding the safety of pedestrians and lack of a footway linking the site to the village. Indeed this was a reason for refusal as part of the previous application stating that the car park would be inconveniently located. Again, as the car park has been removed from the development proposals within this application, the reason for refusal for this element would immediately be overcome.
- 8.6.9 The development only proposes three dwellings, one replacement and two new dwellings, hence the requirement to provide a footway link to the village would not be considered reasonable or proportionate to the development. Further, Mill Lane does not currently benefit from pedestrian footpath however is known to be widely used by walkers accessing the countryside and is the current situation for the existing dwellings on Mill Lane.
- 8.6.10 As such, subject to conditions the proposal would be acceptable in highway safety terms.

### **Impact on ecology**

- 8.7 A Phase 1 Habitat Survey and Stage 2 Bat Emergence Survey Report was submitted with the application and found that no bats were recorded roosting within the building but there was still potential for amphibians and reptiles within boundary vegetation as well as nesting birds. As such, in order to mitigate and protect protected species, further mitigation including method statements and provision of swift boxes within the dwellings are to be secured by condition.
- 8.7.1 As such, subject to condition, the proposed development complies with the relevant policies relating to ecology and biodiversity.

### **Impact on flood risk**

- 8.8 Notwithstanding that the site is located within Flood Zone 1, a site specific Flood Risk Assessment and Surface Water Drainage Scheme has been submitted due to the proximity of the site to an ordinary watercourse, the potential for surface water flooding on Mill Lane (Low Risk though on the application site) and history of flooding from the combined sewer. It is noted that the previous application proposed a dwelling on the eastern side of Mill Lane which was proposed to be discharged into this sewer, however the eastern side of Mill Lane does not form part of this application.
- 8.8.1 A detailed modelling exercise has been undertaken to assess site specific risk, including an extreme blockage scenario.
- 8.8.2 The proposed dwellings are to have raised finished floor levels which will mitigate the risk to residents and access is still viable for emergency services. The mitigation measures identified in the submitted Flood Risk Assessment and SUDs drainage scheme are to be

secured by condition to ensure there would be no exacerbation of flooding in the area compared to existing.

- 8.8.3 The proposed development indeed provides an opportunity to formalise drainage from the site, allowing controlled discharge to an appropriate drainage receptor with betterment of runoff rate.
- 8.8.4 A SUDs drainage scheme is also proposed as well as the implementation of a floodplain storage compensation scheme.
- 8.8.5 Comments and concerns have been raised during the public consultation period that the development will exacerbate flood risk and surface water run off and that the existing culvert is unsuitable to cater for the proposed development including the submission of a detailed drainage report supporting these comments.
- 8.8.6 Following which, a further flooding technical note has been submitted by the applicant.
- 8.8.7 The comments received during the course of the application as well as the applicants further technical note have been considered by the LLFA and they raise no objection stating that the proposed development is likely to provide betterment in terms of peak flow rates leaving the site through the introduction of SuDS.
- 8.8.8 Additional scenarios or blockage events could be undertaken, however this would be in excess of what is required by the applicant and would therefore not be considered reasonable to refuse on these grounds.
- 8.8.9 By virtue of the proposed drainage scheme, the development would provide betterment in terms of flood compensation and the new bridge would also remove potential narrowing and blockage points which currently exists.
- 8.8.10 Severn Trent Water have also reviewed the submitted information from both the representations received and the applicant's technical note and raise no objection.
- 8.8.11 Overall, the proposed drainage scheme would secure betterment to the existing situation subject to the inclusion of conditions.
- 8.8.12 The LLFA as expert advisors to the Local Planning Authority raise no objection to the proposal (given the net increase in flood plain storage) and Severn Trent Water also raise no objections.
- 8.8.13 Given the improvements to drainage and flooding in the vicinity from the development, it would be unreasonable to request contributions to further drainage works and no formal request has been made from the Lead Local Flood Authority.
- 8.8.14 It should also be noted that the previous application was not refused on flooding or drainage matters and no additional information has been submitted with this application which would be considered to alter that position.
- 8.8.15 Subject to conditions, the proposal would be considered compliant with the requirements of Policies EN11 and EN12 of the Local Plan, and Policy ENV9 of the Neighbourhood Plan.

## **Impact on archaeology**

- 8.9 An archaeological evaluation report has been submitted in support of the application and given the results of this no further archaeological investigation is required as advised by LCC Archaeology.

## **9 CONCLUSION**

- 9.1 The application is a resubmission of a previously refused application. The previous application was refused solely on the basis of the introduction of a car park being inconveniently located and having an adverse visual impact upon the area and important view.
- 9.1.1 The previous application was not refused on any other grounds, only by virtue of the introduction of the car park. This current application seeks the same as previously proposed, save for the car park (and the dwelling on the eastern side of Mill Lane). As all other aspects are the same, and there has been no change in Policy since the previous application, it would be considered unreasonable to refuse this application on any material planning grounds.
- 9.1.2 The application seeks only the provision of two new dwellings and a replacement dwelling which is supported by the relevant policies of the Melton Local Plan and Neighbourhood Plan. Therefore the application is recommended for approval subject to conditions.

## **10 REASON FOR RECOMMENDATION**

- 10.1 The proposal accords with the requirements of Policies SS1 and SS2 which emphasise the need to provide housing in locations that can take advantage of sustainable travel. Long Clawson 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'.
- 10.2 The proposed dwellings all sit within the limits to development within the Neighbourhood Plan as identified within Policy H3 of the Neighbourhood Plan.
- 10.3 As such, the proposal would represent a sustainable form of small scale residential development that would be considered acceptable under the provisions of Policies SS1 and SS2 of the Melton Local Plan and Policies H3 and H4 of the Neighbourhood Plan. The principle of development is therefore acceptable subject to appropriate design and appearance and other material planning considerations.
- 10.4 The access and parking is deemed acceptable, there would be no significant adverse impact upon adjacent residential properties and the proposal is considered to be sympathetic to the Conservation Area and setting of heritage assets and overall would not be considered to have an unacceptably detrimental impact on important views identified in the Neighbourhood Plan. The proposal is considered acceptable on grounds of flooding/drainage, ecology and archaeology.
- 10.5 The reason for refusal on the previous application is considered to have been overcome, by virtue of the removal of the car park and its impact which was specifically referred to as the sole reason within the refused decision notice.

## **11 Financial Implications**

11.1 There are no financial implications associated to this application.

**Financial Implications reviewed by: N/A**

## **12 Legal and Governance Implications**

12.1 Legal and Governance issues are considered and assessed within the report.

**Legal Implications reviewed by: Tom Pickwell (Solicitor)**

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