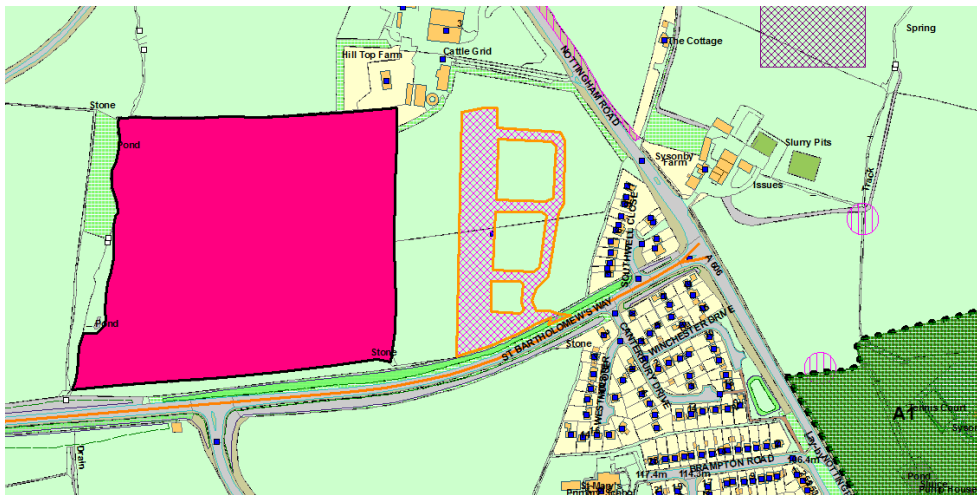


Reference: 17/00281/OUT
Date submitted: 01.03.17
Applicant: Mr M Brown
Location: Land at South of Hill Top Farm, St Bartholomew's Way, Melton Mowbray
Proposal: Outline application for up to 30 dwellings (Access of St Bartholomew's Way already approved)



Proposal :-

This application seeks outline planning permission for 30 dwellings on land to the north of Melton Mowbray off St Bartholomew's Way, to the rear of Southwell Close. The only detail submitted for consideration at this stage is access. The vehicular access would utilise that of agreed planning application 15/00593/OUT.

The site lies outside the designated town envelope within open countryside and is currently agricultural fields. The site lies to the west of previously granted applications for a combined total of 45 units, to the east of the site is the Southwell Close development, to the north is agricultural land. To the south is St Bartholomew's Way.

It is considered that the main issues arising from this proposal are:

- **Compliance or otherwise with the Development Plan**
- **Transportation and Road Safety**
- **Impact upon the Scheduled Ancient Monument**
- **Impact upon the Character of the Area and Open Countryside**
- **Impact upon residential amenities**

The application is required to be presented to the Committee due to its scale and the level of public interest.

History:-

15/00593/OUT – Outline application for residential development of 30 dwellings – Approved

(The application originally related to 45 dwellings. The scale of development has been reduced to take account of Historic England's concerns about the proximity of the development to the adjacent Scheduled Ancient Monument.)

16/00281/OUT – Outline application for 15 dwellings including access – Approved

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 – This policy restricts development including housing outside of town/village envelopes.

Policy BE1 : allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

Policy BE10: states that development will not be permitted if it fails to preserve the archaeological value and interest of nationally important archaeological remains or their settings, whether scheduled or not.

Policy BE11: planning permission will only be granted for development which would have a detrimental effect on archaeological remains of county or district significance if the importance of the development outweighs the local value of the remains. If planning permission is given for the development which would affect remains of county or district significance, conditions will be imposed to ensure that the remains are properly recorded and evaluated and, where practicable, preserved.

Policy H10: planning permission will not be granted for residential development unless adequate amenity space is provided within the site in accordance with standards contained in Appendix 5 (requires developments of 10 or more dwellings to incorporate public amenity space for passive recreation with 5% of the gross development site area set aside for this purpose).

Policy H11: requires developments of 15 or more dwellings to make provision for playing space in accordance with standards contained in Appendix 6 (requires developments of 15 or more dwellings to include a LAP within 1 minute walk (60m straight line distance) of dwellings on the site and extend to a minimum area of 400 sq m.

Policy C1: states that planning permission will not be granted for development which would result in the loss of the best and most versatile agricultural land, (Grades 1, 2 and 3a), unless the following criteria are met: there is an overriding need for the development; there are no suitable sites for the development within existing developed areas; the proposal is on land of the lowest practicable grade.

Policy C13: states that planning permission will be granted if the development adversely affects a designated SSSI or NNR, local Nature Reserve or site of ecological interest, site of geological interest unless there is an overriding need for the development.

Policy C15: states that planning permission will not be granted for development which would have an adverse effect on the habitat of wildlife species protected by law unless no other site is suitable for the development Policy C16.

The National Planning Policy Framework was published 27th March 2012 and replaced the previous collection of PPS. It introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside;
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance ,so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

On Specific issues it advises:

Promoting sustainable transport

- all developments that generate significant amounts of movement to be supported by a Transport Assessment or Statement; development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.
- Developments that generate significant movements are located where the need to travel will be minimised and use of sustainable transport modes can be maximised.

Delivering a Wide choice of High Quality Homes

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- LPAs should identify land for 5 years housing supply plus 5% (20% if there is a history of under delivery). In the absence of a 5 year supply housing policies should be considered to be out of date.
- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and enhancing the natural environment

- Contribute to and enhance the natural and local environment.
- Aim to conserve and enhance biodiversity

Conserving and enhancing the historic environment

- In determining applications LPAs authorities should require an applicant to describe the significance of any heritage assets affected ,including any contribution to their setting.
- Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise.
- In determining applications LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets.
- When considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be.
- Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be

approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority</p> <p>As part of the previous planning applications the Applicant was conditioned to provide the site access with a minimum carriageway width of 4.8 metres. However in order to accommodate the additional number of dwellings applied for as part of this application an access of 5.5 metre wide has now been provided, the CHA consider the site access is safe and suitable to serve the proposed development.</p> <p>On balance, subject to the impositions of conditions the CHA considers that this development would not have a severe impact on the highway network and therefore offers no objections to the proposed development.</p> <p>Clarification has been provided to confirm that the scale of the development is such that a Transport Assessment is not required, nor is assessment under LLITM or contributions to the Melton Mowbray Transport Strategy justified.</p>	<p>The amended access details are considered acceptable for the additional dwellings to utilise the approved access granted in previous applications.</p> <p>The Highways Authority have not expressed concern over the suitability of the proposed access and have suggested conditions requesting additional details to further ensure its suitability.</p> <p>There are considered to be no grounds to resist permission based on highways issues.</p>
<p>Environment Agency</p> <p>The development is in Flood Zone 1, it does not fall under the category of either a high risk to the environment or those that are able to offer significant environmental benefit.</p> <p>Therefore the LPA are referred to standing advice in this instance.</p>	<p>Noted.</p>
<p>Severn Trent</p> <p>Severn Trent Water Ltd has no objection to the proposal subject to conditions requesting drainage plans to be submitted for the disposal of surface water and foul sewage.</p>	<p>Noted.</p>
<p>Local Lead Flood Authority</p> <p>A revised drainage strategy has been submitted which seeks to discharge at 5l/s, which is acceptable. The drainage strategy indicates the use of an attenuation basin at the northern parcel, whilst geocellular tanks provide attenuation in the central and southern parcels. These are lined via a swale that runs north to south on the eastern boundary of the site which will provide a level of water treatment. The final outfall is indicated to be to an existing Severn Trent Water sewer which is located at a suitable level to receive flows from the site.</p>	<p>Conditions can be attached requesting the details as advised by the LLFA.</p>

<p>No calculation have been submitted to support the provided strategy, however enough detail was provided to all baseline calculations to be undertaken to assess the suitability of the proposals. The calculations suggest the drainage strategy is acceptable subject to conditions.</p>	
<p>Ecology</p> <p>The ecology survey submitted in support of the application (Clear Environmental May 2015) indicates that the majority of the site comprises species poor grassland. The existing hedgerows around the site were considered to have some ecological value and the roadside verge adjacent to St Bartholomew's Way comprises semi-improved grassland. No evidence of protected species was recorded on site and the site was generally considered to have a low potential to support protected species.</p> <p>No objection raised subject to conditions.</p>	<p>Conditions can be attached as per the advice of Ecology.</p>
<p>Historic England</p> <p>Object to the application</p> <p>The application represents an attempt to undo the planning balance achieved through previously granted consents. This scheme is harmful to the significance of the scheduled Sysonby Grange by virtue of its intrusion into the immediate rural setting of the monument. We object to the granting of consent on heritage grounds.</p> <p>Sysonby Grange is a medieval farm attached to the Cistercian house of Garendon, granges provided a key structure for monastic institutions to exploit the grants of property made by their benefactors and recompensed through prayer. The earthwork remains of the medieval complex have been designated by the Secretary of State on the basis of their national archaeological importance. The topography of the application site creates a marked display between the impact of the schemes already consented and that which is the subject of this application. The experience and understanding of the significance of the Grange earthworks rests in part upon their separation from the town of Melton and their rural landscape context.</p> <p>As set out in previous correspondence negotiations around the former scheme led to development being drawn back off the ridge top, this balanced outcome would be subverted by the present application. Historic England do not recognise the assertion in the application and supporting material that an offset of 50m would be acceptable, nor do Historic England find any structured basis for this figure. A structured approach to the analysis of setting issues can be</p>	<p>Planning permission 15/00593/OUT originally proposed 45 dwellings the proposal was revised on advice of Historic England and the impact that the proposal would have has on the Scheduled Ancient Monument (SAM), in its original form the application was recommended for refusal.</p> <p>A revised proposal took note of previous comments from Historic England and an amended application reduced the number of 45 to 30 which moved the development off the ridge top and 100 metres from the SAM and incorporated buffering which retained existing features as requested.</p> <p>The level of harm through the revised scheme was significantly reduced to less than substantial. In accordance with paras 132-133 of the NPPF</p> <p>This application proposes to use the land previously considered unacceptable in application 15/00593 within the 100m buffer of the SAM, the harm attributed to this would be classed as less than substantial in accordance with paragraph 134 of the NPPF, however great weight should be given to the setting of the SAM in accordance to Paragraph 132 of the NPPF.</p> <p>This requires that the harm is balanced against the public benefits of the proposal, which are addressed below.</p>

<p>found in Historic Environment Good Practice note 3 (setting of Heritage Assets). The National Planning Policy Framework is clear that all harm to designated heritage assets requires clear and convincing justification and must be weighted against public benefits (with great weight given by the planning authority to the conservation of the designated asset).</p> <p>With regard to the curation of archaeological remains on the application site itself we refer you to the advice of the County Council Development Control Archaeologists.</p> <p>Historic England objects to the application on heritage grounds. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 132 and 134 and the requirement of Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.</p>	
<p>LCC Archaeology</p> <p>Object to the application</p> <p>The application site lies immediately to the east of the Scheduled earthwork remains of Sysonby Grange, which is a statutorily designated heritage asset (NHLE ref.: 1016317; HER ref.: MLE4002).</p> <p>This monument represents the buried and earthwork remains of a Medieval monastic farm, including evidence of building platforms, enclosures and a pond.</p> <p>The Scheduled Monument description states that: “The eastern part of the grange was situated to the east of the area of protection but is no longer evident.”</p> <p>Although no longer visible as earthworks, it is likely that buried archaeological remains survive and continue towards, and potentially into, the application site.</p> <p>Archaeological investigation has been undertaken in connection with the earlier, adjacent, planning applications, including an Archaeological Desk-Based Assessment (ULAS report 2015-073), Geophysical Survey (Strata scan report J8943) and an Archaeological trench Evaluation (ULAS report 2016-038).</p> <p>These investigations have revealed the presence of a mid-late Iron Age settlement within the</p>	<p>Noted – appropriate conditions can be secured.</p>

application site and adjacent fields.

Although the trench evaluation did not extend into the current application site, the geophysical survey indicates that the archaeological remains are continuous and thus part of the same settlement.

The geophysical survey did not identify any buried archaeological remains that could specifically be linked to the Scheduled Monastic Grange, however, the trench evaluation revealed archaeological features that had not been identifiable on the geophysical survey.

Given the absence of a trench evaluation within the current application site, we cannot rule out the potential for features related to the Scheduled Monument, and of a similar significance, to be present.

We share Historic England's concerns regarding the potential impacts to the setting of the Scheduled Monument. The monument represents a former monastic farm, and thus its immediate surroundings would have predominantly been agricultural fields in a rural landscape.

We feel that the current proposal represents an unacceptable encroachment on this setting by modern domestic structures and associated noise and activity.

Should your authority decide to determine this application favourably despite these concerns, we recommend that investigation of the archaeological remains within the application site is secured by suitable conditions.

The development proposals include works (e.g. foundations, services, road construction, water attenuation, landscaping) that will impact upon archaeological remains.

In consequence, the Local Planning Authority should require the developer to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance (NPPF Section 12, paragraph 141).

To ensure that any archaeological remains present are dealt with appropriately the applicant should provide for an appropriate level of archaeological investigation and recording. This should commence with an initial phase of archaeological trenching to ascertain the extent of the archaeological remains present, and include a subsequent archaeological excavation of all areas

<p>where archaeological remains will be impacted, to be conducted prior to commencement of the proposed groundworks associated with the development.</p> <p>A contingency provision for recording and excavation of archaeological remains of greater extent, complexity or significance than currently envisaged should be made, to the satisfaction of your authority in conjunction with your archaeological advisors in this department.</p> <p>Should your authority decide to determine this application favourably despite significant heritage concerns, we recommend that any planning permission be granted subject to planning conditions, to safeguard any important archaeological remains potentially present.</p>	
<p>MBC Conservation Officer</p> <p>Objects to the application</p> <p>The application 17/00281/OUT for 30 dwellings at Land at South of Hill Top Farm is not considered to meet the objectives of chapter 12 of the National Planning Policy Framework.</p> <p>The previous approved application 16/00281/OUT for 15 dwellings was considered by Historic England’s Scheduled Ancient Monument’s (SAM) advisor to have been at the limit for development within this location, before a degree of harm was caused to the setting of the scheduled Sysonby Grange. The subsequent application for an additional 15 dwellings is considered to encroach upon an exclusion area which must be maintained as undeveloped land in order to retain legibility of the SAM.</p> <p>The new application 17/00281/OUT was responded by Historic England’s SAM Advisor by offering the same guidance from the previous application, in which it was stated:</p> <p><i>‘This scheme is harmful to the significance of the scheduled Sysonby Grange by virtue of its intrusion into the immediate rural setting of the monument. We object to the granting of consent on heritage grounds and attach previous correspondence relating to this specific issue’.</i></p> <p>The only level of mitigation that was attempted by the applicant to reduce the impact on the setting of the SAM was the introduction of a rail and post fence to demarcate the site boundary and provide a degree of ‘screening’ between the proposed site for new dwellings and the SAM.</p>	<p>These comments reflect strongly the content of those from Historic England above. Please refer above to advice regarding their role in the decision making exercise.</p>

<p>However, as stated during the application stage, rather than mitigating the potential harm. Conservation recognises this as amounting to an increased level of harm, as the way in which the heritage asset is experienced, from within its immediate setting and wider setting has now been further disrupted.</p> <p>Beyond the visible remains of Sysonby Grange, there are clear historic field patterns within this location, and this can be seen through the hedge planting that was carried out through the enclosures of the late 18th century and early/mid 19th century. The addition of this fence in such a historically sensitive location has only served to disrupt this historic rural development pattern.</p> <p>As such, and in line with Historic England’s guidance, Conservation does not recognise any possible further mitigation that could diminish the impact upon the SAM. There would need to be exceptional circumstances to offer advice that is conflicting with Historic England’s report, and in this case there is none.</p> <p>As set out in HE’s former correspondence, negotiations during 16/00281/OUT, around the former scheme led to development being drawn back off the ridge top, and this balanced outcome would be subverted by the present application. As such it is recommended that this scheme is refused, in line with paragraph 132 and 134 of the NPPF</p>	
<p>LCC Developer Contributions-</p> <p>Waste - The Civic Amenity contribution is outlined in the Leicestershire Planning Obligations Policy. The County Council considered the proposed development is off a scale and size which would have an impact on the delivery of Civic Amenity waste facilities within the local area.</p> <p>The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of £2,480(to the nearest pound).</p> <p>The contribution is required in light of the proposed development and was determined by assessing which Civic Amenity Site the residents of the new development are likely to use and the likely demand and pressure a development of this scale and size will have on the existing local Civic Amenity Facilities. The increased need would not</p>	<p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p>

<p>exist but for the proposed development.</p> <p>The developer contribution would be used on project reference MEL006 at the Melton Civic Amenity Site. Project Mel006 will increase the capacity of the Civic Amenity Site at Melton by:-</p> <ul style="list-style-type: none"> • Expansion of floor space for recycling area. <p>There are four other known obligations from our approved development, since April 2010, that affect the Melton Civic Amenity site which may also be used to fund project MEL006.</p> <p>Libraries – No claim required for library services. The proposed development would not have any adverse impact on current stock provision at the nearest library which is Melton Mowbray.</p> <p>Education- Primary Schools This site falls within the catchment area of St Mary’s C of E Primary School. The school has a net capacity of 209 and 214 pupils are projected on roll should this development proceed; a deficit of 5 pupil places after taking into account the 7 pupils generated by this development. There are currently no pupil places at this school being funded by S106 agreements from other developments in the area</p> <p>There are 4 other primary schools within a two mile walking distance of the development</p> <ul style="list-style-type: none"> • The Grove Primary School – Surplus 82 (after 23 S106 funded places have been discounted) • Brownlow Primary School – Surplus 9 (no S106 funded places to be discounted) • Swallowdale Primary School – Deficit 23 (after 86 S106 funded places have been discounted) • Sherard Primary School Surplus 13 (after 29 S106 funded places have been discounted) <p>There is an overall surplus in this sector after including all primary schools within a two mile walking distance of the development of 76 pupil places.</p> <p>No contribution required</p> <p>Secondary School</p>	<p>Education contributions were requested in March 2017, further developments have been approved since this time and it is therefore considered that this information may not be up to date. A revised education request has been requested and final financial details will be reported verbally at the committee meeting.</p>
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There are two 11-16 secondary schools in Melton Mowbray, these are The Long Field School and John Ferneley College.

The schools have a total net capacity of 1900 and a total of 1975 pupils projected on roll should this development proceed; a deficit of 75 pupil places. A total of 7 pupil places are included in the forecast for this school from S106 agreements for other developments in this area and have been discounted. This reduces the total deficit for these schools to 68 (of which 63 are existing and 5 are created by this development). A claim for an education contribution in this sector is therefore justified.

In order to provide the additional 11-16 school places anticipated by the proposed development, the County Council requests a **Contribution for the 11-16 school sector of £80,621.53**. This is calculated by the number of deficit places created by the development (4.51) multiplied by the DFE cost multiplier (£17,876.17) which equals £80,621.53.

This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at John Ferneley College and Long Field Academy.

The contribution would be spent within 5 years of receipt of final payment.

LCC Highways –

Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which may involve an administration charge.

Justification: To inform new residents from first occupation what sustainable travel choices are available in the surrounding area.

6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £360.00 per pass (cost to be confirmed at implementation).

Justification: To encourage residents to use bus

<p>services as an alternative to the private car.</p> <p>A contribution of £7,500 for a Traffic Regulation Order to deliver the change in speed limit on St Bartholomew's Way, Melton.</p> <p>Justification: To ensure that legal orders are in place to support the delivery of the proposed highway works.</p>	<p>It is considered that the waste, highway and education contributions relates appropriately to the development in terms of its nature and scale, and as such are an appropriate matter for an agreement and complies with CIL Reg. 122.</p>
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Representations:

Site notices were posted and neighbouring properties consulted. As a result **2 representations have been received.**

Representations	Assessment of Head of Regulatory Services
<p>Objection</p> <p>Although access has been approved, permission for 30 dwellings (possibly two cars per dwelling) accessing onto St Bartholomew's Way, as approved, will present a hazard to traffic using this road.</p> <p>The danger is particularly relevant when travelling towards Nottingham Road.</p> <p>Looking at the original plan 15/00593/OUT, the total site seemed to have 75% of the site to the East housing, with around 25% to the West of the site up to the stone walls as "Kick around space/wild flower meadow". This new plan now shows the original housing application covering around 50% of the site (East to West) which is different to the original application.</p> <p>The new application still shows 75% of the original planning area as open space, but that's not possible, unless one of the plans showed misleading information.</p> <p>It would seem this new plan, is simply building on the play area from the original plan, which should not be allowed as these are areas agreed to be open space/play areas.</p> <p>The play area should be made available to ensure this is sufficient.</p> <p>The original plan had an area for allotments.</p>	<p>The access has been revised to ensure that it meets with the standards as set out by the County Highway Authority, the access proposed will utilise that previously agreed under application 15/00593/OUT.</p> <p>15/00593/OUT was granted with only access agreed at that time, similarly this application only considers the access to the site, and layout would be considered at a reserved matter stage.</p>

Other Material Considerations not raised through representations:

Consideration	Assessment of Head of Regulatory Services
<p>Housing Mix</p> <p>The submitted details include</p> <p>3x 2 bed apartments</p>	<p>The proposal whilst submitted in outline form does represent a suitable mix of dwellings.</p>

<p>3 x 1 storey 1 bed dwelling 4 x 1 storey 2 bed dwelling 3 x 2 storey 2 bed dwelling 14 x 32 storey 3 bed dwelling 3 x 3 storey 4 bed dwelling.</p>	<p>Whilst the scale is not considered at this time, the applicant has suggested a mixture of units ranging from single storey bungalows to three storey apartments including detached, semi detached and terraced dwellings.</p> <p>The mix includes both market and low cost shared ownership and rented dwellings and is considered an acceptable mix for this development.</p>
<p>Planning Policy</p>	<p>The application is required in law to be considered against the Local Plan and other material considerations. The proposal is contrary to the local plan policy OS2 however as stated above the NPPF is a material consideration of some significance because of its commitment to boost housing growth.</p> <p>The 1999 Melton Local pan is considered to be out of date and as such, under para. 215 of the NPPF can only be given limited weight.</p> <p>This means that the application must be considered under the ‘presumption in favour of sustainable development’ as set out in para 14 which requires harm to be balanced against benefits and refusal only where “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.</p> <p>The NPPF advises that local housing policies will be considered out of date where the Council cannot demonstrate a 5 year land supply and where proposals promote sustainable development objectives it should be supported.</p> <p>The Council can demonstrate a five year land supply however this on its own is not considered to weigh in favour of approving development that is contrary to the local plan where harms are identified, such as being located in an unsustainable location. A recent appeal decision (APP/Y2430/W/16/3154683) in Harby made clear that ‘a supply of 5 years (or more) should not be regarded as maximum.’ Therefore any development for housing must be taken as a whole with an assessment of other factors such as access, landscape and other factors...”</p> <p>The site is a greenfield site. It also lies within open countryside, however is closely related to previously granted development.</p> <p>The harm attributed by the development is required to be considered against the benefits of allowing the development in this location. The provision of affordable units with the house types</p>

	<p>that meet the identified housing needs is considered to offer some benefit, along with the promoting housing growth.</p> <p>The proposal would provide both market and affordable housing in the Borough and would contribute to land supply.</p> <p>There would however be harm attributed to the setting of the scheduled ancient monument which cannot be mitigated in this instance.</p>
<p>The (new) Melton Local Plan – Pre submission version.</p> <p>The Pre submission version of the Local Plan was agreed by the council on 20th October and was subject to consultation which ended on 16th December 2016.</p> <p>The Draft Local Plan addendum of Focussed changes has recently been the subject of consultation which ended on 23 August 2017.</p> <p>The NPPF advises that:</p> <p>From the day of publication, decision-takers may also give with to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> • The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); • The extent to which there are unresolved objections to relevant polices (the less significant the unresolved objections, the greater the weight that may be given); and • The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the Framework, the greater the weight that may be given). <p>The Pre-Submission version of the Local Plan identified this land as MEL34 with an estimated capacity of 45.</p> <p>The part of the site that is suitable is already subject to planning permission for 45 units.</p> <p>The part of the application site to which this application refers was removed from the Local Plan as a ‘Focussed Change’ in July 2017 due to issues surrounding the setting of the SAM and oil and gas pipelines crossing the site and following Local Plan consultation with Statutory consultees including Historic England.</p>	<p>Whilst the Local Plan has progressed it remains in preparation, it can be afforded only limited weight.</p> <p>It is therefore considered that it can attract weight but this is quite limited at this stage. The site is contrary to the policies of the emerging Local Plan (Policy C1 : site allocations)</p>

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Conclusion

It is considered that the application presents a balance of competing objectives and the Committee is invited to reconcile these in reaching its conclusion.

The Council can demonstrate a 5 year housing land supply, however the delivery of housing in particular affordable housing is considered as a key priority for the Borough, this application presents housing that help to meet identified local needs, accordingly, the application represents a vehicle for the delivery of housing of the appropriate quantity, in proportion with the development ad of a type to support the housing need in a sustainable location close to Melton town centre.

It is considered that balanced against the positive elements, there is a clear harmful impact upon Sysonby Grange scheduled ancient monument. The SAM was designated by the Government on the basis of its national archaeological importance. The harm to the asset derives mainly from the proximity of the proposed development. The narrowness of the buffer (approximately 60 metres) and topography of the site would lead to the development being intrusive to the setting and harmful to the significance of the asset.

In conclusion it is considered that, on the balance of the issues, it is considered that the benefit – principally the contribution to housing supply – do not outweigh the harm arising form the site as discussed above.

Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that permission can not be granted.

Recommendation: REFUSE, on the basis of:-

Development in this location would lead to an unacceptable encroachment by modern domestic structures and associated noise and activity on the setting of the scheduled ancient monument representing a former monastic farm whose immediate surroundings would have predominantly been agricultural fields in a rural landscape, the proposal does not therefore meet the requirement of National Planning Policy Paragraphs 132 and 134 with the harm attributed to this proposal not outweighed by the benefits of the proposal in this instance.

Officer to contact: **Ms L Parker**

Date: 29 August 2017.