COMMITTEE DATE: 17th October 2017

Reference: 17/00080/OUT

Date submitted: 25.01.2017

Applicant: Ms Grace Milham

Location: Land Off Mere Road, Mere Road, Waltham On The Wolds

Proposal: Residential development of up to 99 dwellings, associated infrastructure and

landscaping



Proposal:-

This application seeks **outline planning permission for up to 99 dwellings**. The land is situated on the northern edge of Waltham on the Wolds. Access to the site is proposed directly from Mere Road as it goes towards Grantham and the A607. The site is considered to be greenfield site with no presumption in favour of development

The application is reported back to Committee following deferral on 29th June 2017 to consider the following issues:

- 1. Investigation Water supply and sewerage infrastructure issues
- 2. The contribution of section 106 funding required for additional school places
- 3. Consideration of the impact to the sugery
- 4. Consideration of the impacts on electricity supply

In response to these points please see the report 'Waltham On The Wolds 'Common Issues' (item 3 of this agenda).

The application is in outline with access to also be considered,

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

- Compliance or otherwise with the Development Plan and the NPPF
- Impact upon the character of the area
- Impact upon residential amenities
- Sustainable development
- Traffic and access issues

The application is required to be presented to the Committee due to the level of public interest and amount of representation received.

History:- None relevant

Planning Policies:-

Melton Local Plan (saved policies):

<u>Policy OS2</u> - does not allow for development outside the town and village envelopes shown on the proposals map **except** for development essential to the operational requirements of agriculture and forestry, and small scale development for employment, recreation and tourism.

<u>Policy OS3</u>: The Council will impose conditions on planning permissions or seek to enter into a legal agreement with an applicant under section 106 of the Town and Country Planning Act 1990 for the provision of infrastructure which is necessary to serve the proposed development.

<u>Policy BE1</u> - 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.

<u>Policy H10</u>: 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).

<u>Policy H11:</u> planning permission will not be granted for residential development of 15 or more dwellings unless it makes provision for playing space in accordance with the Councils standards at Appendix 6 of this Local Plan (on developments of 50 or more dwellings, every dwelling must be within a 5 minutes walk (240m straight line distance) of a LEAP (Local Equipped Area for Play).

<u>Policy C1</u>: 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.

<u>Policy C15</u>: 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 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:
 - o 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
 - o 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
- 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.
- Take account of the different roles and characters of different areas, promoting the vitality of urban areas, recognising the intrinsic character and beauty of the countryside and support thriving rural communities.

On Specific issues it advises:

Promoting sustainable transport

- Safe and suitable access to the site can be achieved for all people
- Development should located and designed (where practical) to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- Consider the needs of people with disabilities by all modes of transport.

Delivering a Wide choice of High Quality Homes

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- LPA's 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

- Encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value
- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments

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 |
|---|--|
| Highways Authority (HA) - No objection, subject | Noted and conditions can be applied as per the |
| to conditions | comments made. |
| The revised site access drawing, shown on ADC | |
| Drawing No. ADC1481/001 Rev. A illustrates a | |
| 5.50m wide access with 6m kerbed radii, pedestrian | |
| crossing points with tactile paving and 2.4 x 43m | |
| visibility splays. Mere Lane is also proposed to be | |
| widened to 5.50m along the site frontage and a 2.0m | |

wide footway is shown to the east of the carriageway, which ties in with the existing footway on Mere Lane.

The proposal to relocate the existing 30/national speed limit roundels to the north of the site access, and in this instance as street lighting is already present along the length of Mere Lane, the CHA is satisfied the speed limit can be relocated by virtue of street lighting and without the need for a Traffic Regulation Order.

While the proposed site access is in close proximity to the two accesses as part of the development to the west, in this instance the HA considers that due to the low number of dwellings served by the western junctions, and the likelihood of these generating vehicular trips between the eastern and western accesses is low that the proposals are acceptable in this instance.

Off-Site Implications

The HA have checked the PICADY files which were submitted by the applicant and confirms that the results are acceptable. These assessed the following junctions:

- A607 Melton Road/ Mere Road junction
- A607 Melton Road North/ High Street/ A607 Melton Road South/ Goadby Road

Based on the assessments undertaken by the applicant, if this individual application was to be permitted by the LPA taking into account 2022 base + this development traffic alone, operation of the junctions would still be well within capacity at 2022, with little impact on queueing or delays.

The HA is aware that vehicle speeds are in excess of the mandatory 20mph speed limit in force outside of the village primary school and currently there is no school crossing patrol in operation. As there would be an increase in vehicular and pedestrian traffic outside the school as a result of the development, the CHA would advise a contribution towards improving facilities within the vicinity of the school. The CHA has also been in discussion with the local community regarding transport issues outside the school over the last few years. Contributions have been advised by the CHA from other recent housing developments within the village as part of the S106 agreement.

Transport Sustainability

A Travel Plan has been submitted for the development and the CHA is satisfied this meets the minimum requirements. The applicants will be required to register the development site and Travel Plan with www.starsfor.org and contribute a £6,000 STARS For monitoring fee.

Other Observations that affect the highway network which in the view of the Local Highway Authority cannot be considered "severe" in accordance with Paragraph 32 of the NPPF, but which may impact on the amenity of the local community. The Local Planning Authority is advised to consider if these are material and the relative weight which that they can give in planning terms to these amenity issues in their decision making processes:

School Transport

Please be advised that there are likely to be school transport implications arising from this site and to refer to the Education Authority's response on this matter.

Cumulative Impact Assessment

Guidance provided in 'Travel Plans, Transport Assessments and Transport Statements' states that:

"It is important to give appropriate consideration to the cumulative impacts arising from other committed development (i.e. development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next three years). At the decision-taking stage this may require the developer to carry out an assessment of the impact of those adopted Local Plan allocations which have the potential to impact on the same sections of transport network as well as other relevant local sites benefitting from as yet unimplemented planning approval."

Currently the following sites have been approved by the LPA and can be classed as committed development within Waltham:

- 14/00136/OUT: Land to the north of Hall Farm 8 dwellings
- 14/00777/FUL: Land behind 38-48 High Street 29 dwellings(Allocated as WAL 1 within the LPA's draft Local Plan)
- 15/01011/OUT: Field 1357, Melton Road 45 dwellings (Allocated as WAL 2 within the LPA's draft Local Plan along with 16/00847/OUT below)

In addition to these developments, the following applications are currently live and awaiting determination by the LPA.

- 16/00793/OUT: Bescaby Lane 45 dwellings (not allocated within the LPA's Draft Local Plan)
- 16/00847/OUT: Fair Farm, Melton Road 60 dwellings (allocated as WAL 2 within the LPA's Draft Local Plan with 15/01011/OUT above)
- 16/00971/OUT: Mill Lane 124 dwellings (allocated as a reserve site WAL 3 within the LPA's Draft Local Plan)
- This application: Land off Mere Road 99 dwellings (not allocated within the LPA's Draft Local Plan)

The applicants of application ref 16/00971/OUT at

their discretion provided a TA Addendum to understand the potential cumulative impact on the local highway network should their planning application be approved alongside two of the other live applications in Waltham (16/00847/OUT and 16/00793/OUT above). Based on cumulative assessment undertaken by the applicants for that site, the CHA considers there is sufficient capacity to accommodate this current development in addition to those above. However, the CHA would be willing to take further advice from the LPA on the likelihood of applications being granted consent which could justify further cumulative impact assessment. Leicestershire County Council Ecology Ecological Mitigation Strategy (Ramm Sanderson, April 2017) addresses the concerns with

The Ecological Mitigation Strategy (Ramm Sanderson, April 2017) addresses the concerns with regard to the presence of Greater Burdock on site and Great Crested Newts. Additionally, recommendations of the report have been reflected in an updated masterplan (Drawing (01)100 Rev. 1). The only point is that a 5m ecological buffer can be accommodated into the design of the development or appropriate planning obligations are in place.

Various conditions will be imposed:-

- Prior to the commencement of the development a Biodiversity Management Plan should be submitted and approved by the LPA. This should cover the management of the pond, surrounding area and the green corridors.
- The recommendations in section 6 of the Preliminary Ecological Appraisal (RammSanderson, August 2016) should be followed.
- All works must be completed in accordance with the Ecological Mitigation Strategy (RammSanderson, April 2017). If works do not commence by Spring 2018, updated GCN may be required to ensure that the mitigation strategy is still appropriate.
- As there was potential for badgers on site an updated badger survey should be completed and submitted either in support of the reserved matters application or prior to the commencement of the development, whichever is soonest after August 2018 (2 years since the last survey).

Lead Leicestershire Flood Authority

As the land ownership concerns have been addressed with the applicant agreeing to install appropriate drainage there is no objection, subject to conditions.

Leicestershire County Council Archaeology

The submitted Archaeological Trial Trenching Report (Allen Archaeology report AAL2017041) confirms that archaeological remains of local and regional significance are present within the western part of the application site, including evidence of Early-Middle Iron Age iron production and crop cultivation. These archaeological remains are worthy of further investigation and recording prior to ground disturbance associated with the proposed

Noted and conditions can be applied.

Noted and conditions can be applied as suggested.

Noted and conditions can be applied as recommended.

development.

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 consist of a programme of archaeological work to be conducted prior to commencement of the proposed groundworks associated with the development. It should include an archaeological soil strip of the western part of the development area; any exposed archaeological remains should then be appropriately investigated and recorded.

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.

It is therefore recommended that any planning permission be granted subject to the following planning conditions, to safeguard any important archaeological remains potentially present:

No development shall commence until a programme of archaeological mitigation work (archaeological excavation) has been detailed within a Written Scheme of Investigation (WSI), submitted to and approved by the Local Planning Authority in writing. The WSI shall include a statement of significance and research objectives, and:

- -- The programme and methodology of site investigation and recording, with consideration of appropriate analytical methods to be utilised;
- -- A detailed environmental sampling strategy, linked to the site research objectives and where appropriate informed by previous work (i.e. any previous archaeological evaluation or investigation of this site or in the vicinity);
- -- The programme for public outreach and dissemination;
- -- The programme for post-investigation assessment and subsequent analysis;
- -- Provision for publication, dissemination and deposition of resulting material in an appropriate archive repository; and
- -- Nomination of competent person(s) or organisation(s) to undertake the agreed work.

For land included within the WSI, no demolition, development or related ground disturbance shall take place other than in accordance with the agreed WSI.

REASON: To ensure satisfactory and proportionate archaeological investigation and recording of the significance of any heritage assets impacted upon by the development proposal prior to its loss, in accordance with local and national planning policy.

The programme of archaeological site investigation, subsequent analysis, publication, dissemination and deposition of resulting material in an appropriate archive repository shall be completed within 12 months of the start of development works, or in full accordance with the methodology and timetable detailed within the approved WSI.

REASON: To make the archaeological evidence and any archive generated publically accessible, in accordance with local and national planning policy.

Recommended Informative Notes also recommended and will be included.

- The applicant must obtain a suitable Written Scheme of Investigation (WSI) for the archaeological investigation from person(s) and/or organisation(s) acceptable to the Local Planning Authority.
- The WSI shall comply with relevant Chartered Institute for Archaeologists "Standards" and "Code of Practice", and Historic England's "Management of Research Projects in the Historic Environment" (MoRPHE).
- The WSI shall include a suitable indication of arrangements for the implementation of the archaeological work and the proposed timetable for the development.
- The LCC Historic and Natural Environment Team (HNET), as advisors to the Local Planning Authority, will monitor the archaeological work to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the Local Planning Authority.

Severn Trent Water: No objections

Foul is proposed to connect into the public sewer, which would require a section 106 sewer connection approval.

Surface water to connect into the public sewer, which would require a section 106 sewer connection approval.

Western Power Distribution

Budget costs in Waltham have been provided and the number to date will be catered by reinforcing the electricity network locally in Melton and Waltham. Noted – please also see item 3 of this agenda providing more detail on water supply connections and sewerage capacity.

Noted – please also see item 3 of this agenda providing more detail on electricity supply.

Western Power have a statutory duty under our operating licence to provide adequate connections for existing and future customers. The only potential downside would be if a new development required major reinforcement to the network then they would be expected to fund it.

Parish Council:

- 1. It is recognised that the provision of new housing helps to support existing community facilities such as Waltham Primary School, Village Hall, shops, etc. and that it can add to the vitality of the Parish and help to achieve a thriving community. However, these benefits are strongly outweighed by the negative impacts on the villagers. This proposal for a housing estate of 99 dwellings. This is out-of-scale and out-of-character with the conservation village of Waltham on the Wolds. The SHLAA report commented that whilst the site was potentially suitable for development only one third of the proposed units should be approved.
- The need for more houses in the future has been acknowledged. Indeed, we have responded to the recent Melton Local Plan consultation to agree the proposed number of new dwellings required through to 2036. Parishioners generally supported this action at Neighbourhood Plan consultation sessions in November. The village is already set for a 29% growth since 2011, based on existing builds and permissions. If approved, this proposal would exceed the requirement in the Pre-submission Local Plan by 79 dwellings (possibly more dependent upon the outcome of other planning applications). Therefore we see no need for a further development of this size. The Housing Needs Assessment produced by the applicant concludes that the net requirement in Waltham for market and affordable housing will be small. The document also states that the data demonstrates the need for small numbers of affordable and market housing (in Waltham) on an annual basis - not a large-scale development of 99 dwellings.
- 3. The proposal would represent overdevelopment of the site, which would be out of keeping with the rest of the village. Such development would create an adverse view of the village when entering from the Grantham Road (A607).
- 4. The housing estate would not contribute to the 'sense of place' nor respond to local character and history, and reflect the identity of local surroundings. It would therefore be contrary to the requirements of Para. 58 of the NPPF.

Noted but the SHLAA submission is only an indication where the housing requirements are only a minimum. The site is some distance from the conservation area of Waltham and separated by intervening development. It would not be physically affect the Conservation Area nor disrupt it in terms of key views etc.

The site occupies and 'edge of settlement' location into which views are unconstrained from an approach from the east. This is considered to ne a factor that weighs against the granting of permission.

The Pre Submission Local Plan is not considered to be sufficiently advanced to form the basis for decision making. The development must be considered under the NPPF presumption in favour of sustainable development, the benefits of the development being balanced against the harm, as identified by the policies of the NPPF.

The application is in outline for 'up to' 99 dwellings. An illustrative layout demonstrates how such a quantity could be accommodated and does not infer over development.

Para 58 advises that:

- "Planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive

- 5. The proposed site is outside of the current village envelope (Saved Policy OS2). We believe that this saved policy is applicable now that the Borough has a housing supply in excess of 5 years and is not in conflict with the NPPF. The site is also outside of the 'Limits to Development' proposed in the emerging Neighbourhood Plan. Parishioners again supported this at the consultation sessions in November 2016. It is a special part of the surrounding green fields so important to people in the village.
- 6. Our vision for the Parish over the next 20 years is "thriving, vibrant communities with a strong sense of place and individuality defined by fine buildings, community spirit and set in unspoilt rural surroundings". The social sustainability of the proposed development is doubtful. The total size of the housing estate, combined with the distance from the village centre will work against effective integration into our community. It will be isolated and have a very negative impact on that sense of place.
- 7. We fully support the concerns of Waltham Primary School as expressed in its consultation responses in respect of this and other applications.
- 8. Public transport to and from the village is poor (infrequent, limited hours and not synchronised with national transport) so cars are the main mode of transport, adding to greenhouse gas emissions and traffic congestion in local towns. At the 2011

and comfortable places to live, work and visit;

- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive

Full details have yet to be provided where this argument can be furthered. In addition the approved development adjacent allows the development site to 'fit in' with the village. The adjacent development is more modern in its character and the site si separated from the historic core of the village which is recognised as having a character and appearance of value and is a Conservation Area designation as a result.

Despite being recognised as having a five year supply of housing, this is not a minimum and therefore unless there is technical reason not to object to the proposal it will be difficult to resist. The reliance on Policy OS2 is considered to be undermined by para 215 of the NPPF as it is a policy 'out of date' owing to conflict with the NPPF (i.e it a policy which constrains housing supply which is at odds with an important strand of the NPPF which is to "significantly boost" housing supply.

Weight to the neighbourhood plan is very limited as it has not been submitted nor 'made' as part of the development plan process. It is not considered that the location of the development renders it isolated and unable to integrate, and as such at odds with the vision expressed (please see below for further detail on the Neighbourhood Plan).

Noted – see also item 3 of this agenda regarding the capability of then School to expand and the costs associated with such approaches

The village benefits from reasonable public transport and overall is regarded as a sustainable village with key facilities.

Census, only 3% of the commuting population used public transport to journey to their place of work. Although classed as a 'sustainable' village, the aspect of transport is not sustainable in Waltham.

Developer Contributions: s106 Highways

- 1) To comply with Government guidance in NPPF the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:
- a) 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).
- b) 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).
- c) STARS for (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000.
- 2) Details of the routeing of construction traffic, to be approved by the Local Planning Authority in consultation with the Highway Authority, should be included in a S106 legal agreement. During the period of construction, all traffic to and from the site shall use the agreed route at all times unless otherwise agreed in writing by the LPA
- 3) A contribution of £30,000 towards a scheme to reduce vehicle speeds and improve pedestrian crossing facilities on the A607 within the vicinity of Waltham on the Wolds Primary School.

Waste - 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 £8,183 (to the nearest pound).

Education -

The LEA have advised that the primary school is capable of expansion to accommodate the additional demand created by the development but the works involved, and there exact cost, would be dependent upon the total number of houses approved.

Similarly, whilst capacity exists in the secondary sector at present for 58 houses, this would not cater for all developments and contributions would be required if thus figure was exceeded.

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.

It is considered that the contributions requested are justified and necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contributions are to be used for the purposes of highway safety and providing the additional capacity at the relevant school ands similarly waste facilities.

These contributions are is considered fair and reasonable in scale and kind to the proposed scale of development and is in accordance with the thresholds identified in the adopted policies and to meet the additional demands on the education infrastructure which would arise due to this proposed development. and are acceptable within CIL Regulation 122 terms as related to planning, proportionate and reasonable in scale

SEE ITEM 3 OF THIS AGENDA FOR FULL DETAILS.

NHS services

The above development is proposing 45 dwellings which, based on the average of 2.4 people per dwelling for the Melton Borough Council area, would result in an increase in patient population of 108.

The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.

Consulting room GP

Proposed population 108

Access rate 5260 per 1000 patients

Anticipated annual contacts $0.108 \times 5260 =$

568

Assume 100% patient use of room

568

Assume surgery open 50 weeks per year 568/50

= 11.4

Appointment duration 15 mins

Patient appointment time per week $11.4 \times 15/60 = 2.8 \text{ hrs per week}$

Treatment room Practice Nurse

Proposed population 108

Access rate 5260 per 1000 patients

Anticipated annual contacts 0.108 x 5260 = 568

Assume 100% patient use of room $568 \times 20\% = 113.6$

Assume surgery open 50 weeks per year 113.6/50 = 2.272

Appointment duration 20 mins

Patient appointment time per week $2.272 \times 20/60 = 0.8 \text{ hrs per week}$

Therefore an increase in population of 108 in the Melton Borough Council area will place extra pressure on existing provisions, for example- extra appointments requires additional consulting hours (as demonstrated in the calculations above.) This in turn impacts on premises, with extra consulting/treatment room requirements.

Furthermore, although this development proposal is for 99 dwellings, other developments have been submitted for Waltham on the Wolds. If further houses are built, this would result in an increase in population of approx. 382, requiring an additional 10.0 hours of GP patient time and 2.7 hours of

practice nurse treatment time per week on top of the figures quoted in the table above.

Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity.

As such, although The Welby Practice (which has a branch surgery at Waltham on the Wolds) is the most likely to be affected by the new development, The Stackyard Surgery may also be affected.

This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.

Of the practices covering the development in Waltham on the Wolds, The Welby Practice and The Stackyard Surgery currently have 10 patients per square meter and 7 patients per square meter retrospectively, and the growth in area population as a result of this development would increase these figures. Experience has shown that as practices approach the 15 patients per square meter threshold they typically experience difficulties around their premises and clinical resources.

To mitigate this, the s106 funding would go towards The Welby Practice's branch surgery at Waltham on the Wolds, where they require funding to upgrade the existing clinical rooms and redevelop a kitchen area into a clinical space in order to cope with the increase in patient demand. The site also requires work in order to make it more accessible under Disability Discrimination Act guidelines (e.g. - low threshold doors and a disabled car parking space). As The Welby Practice is a dispensing practice, in order to cope with the additional demand the population increase would result in, they would need to upgrade their dispensaries. To do this, the practice has proposed developing their Waltham on the Wolds branch into a dispensing hub for all of their sites, which would entail an internal reconfiguration of the building to increase its dispensary and storage capacity.

All of this would be subject to a full business case and approval by NHS England, with any proposed expenditure taking place when the s106 funds are released by the developer as per the agreement and within the agreed timescale for expenditure of the funds. Details calculation shave been provided which show the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the

| re | quired area and furnishings, a total cost of £185 per |
|----|---|
| pa | atient is determined. |
| T | he contribution requested for the development |
| at | : Waltham on the Wolds is £43,956.00 (£444 x 99 |
| d | wellings.) |

Representations:

Site notices were posted, an article was put in the Melton Times and neighbouring properties consulted. As a result 22 letters of objection have been received and one petition with 87 signatures (that may be included in the 22 above) the representations are detailed below:

| Representations | Assessment of Head of Regulatory Services |
|--|---|
| Highway Safety | The Highways Authority t have confirmed that |
| Excessive traffic onto A607 | the work that has been done by the applicants is sufficient to not have a severe impact upon the |
| Noise pollution from new properties and roads | highway in line with the NPPF. |
| This would pave the way for west side of A607 to be built on | Each application is determined on its individual merits. |
| Roads not enough facilities in village for proposed homes | |
| Village Character | |
| Housing growth too large and will turn Waltham into a small town | It has been deemed that the character of the development when observing the adjacent 16/00093/REM approved application will 'be |
| All applications, and the numbers involved in this | within the confines of the village. The layout |
| one in particular, would have major implications | and overall design of the scheme is yet to be |
| for the infrastructure of the village and change its | decided but will still warrant the high quality |
| character completely | design as required in the NPPF and local planning policy. |
| Village is being 'swamped' by modern housing | |
| | An illustrative masterplan has been developed by the agent following consideration of the |
| | constraints and opportunities identified in the accompanying technical reports. |
| | The indicative masterplan makes provision for adequate parking and public open space in accordance with the Council's standards to achieve a well-designed development meeting the needs of future occupiers. It also shows adequate scope to relate satisfactorily to exiting houses, in terms of distance separation etc |
| | Waltham as a whole displays housing of varying character including more modern layouts in parts especially in proximity to this site. |
| | parts especially in proximity to this site. |
| | This site is some distance and separated from the historic core and main part of the Conservation Area and would also be viewed and experienced separately from its surroundings so as to avoid creating a stark contrast, or visually conflict; a clear appreciation of its character would only be obtained if entering the development itself. Issues of the cumulative scale of development |
| | and location of the site in relation to the village are addressed in greater detail below. |

| | Any subsequent reserved matters application will require a high standard of design that respects the character of the area and the village as a whole. It will request sensitively chosen materials and landscaping to help the development assimilate into the village well. |
|--|---|
| Ecology Loss of land for wildlife. | The application has been supported by relevant ecology surveys which have been deemed acceptable by the Leicestershire County Council Ecology team. Suitable conditions are also to be imposed. |
| Planning Policy If the local plan is accepted, and if other planning applications are taken into consideration, it is not in compliance with the number of dwellings allocated to Waltham on the Wolds. | The full planning position is explained below but in summary, the figures are not a minimum and until the local plan is adopted in full it cannot carry full weight. |
| Residential Amenity The residential development will overlook our property | The application is outline at this stage and therefore considerations of amenity are not for consideration. |
| Infrastructure The local infrastructure including roads, drainage, school facilities and communication is not adequate for the impact of such a large development, especially when combined with the other proposed developments in the area. | Please see above regarding the capacity and safety of the highway network. Item 3 of this agenda addresses the questions regarding the capcity of the school, water supply and sewerage network and how they may be adapted to accommodate growth proposed. |
| Housing numbers Waltham has an existing establishment of some 450 homes. Acknowledging the county's requirement for extra capacity, a need for a further 90 or so houses has been identified and therefore there is no justification for more. | The draft Melton Local Plan can be afforded only limited weight due to its stage in the process. Decisions therefore need to rely on other planning policy, namely the NPPF which looks to assess each application separately based on its own merits. The parish plan (Neighbourhood Plan) is unfortunately not an approved planning policy and there is no statutory duty to observe this to determine this application. |
| | Between 2011-2016 512 new homes were built, based upon the requirements of the Strategic Housing Market Assessments 1225 were needed (245 per year) – a deficit of 713 The need for new housing is well established and was reconfirmed by the Borough Council's Housing Needs Study which was published in August 2016. The area has undelivered housing in recent years and a significant shortfall has arisen. The LPA have conducted extensive research and shown that affordable housing is needed in all developments this application should help to provide this. |
| There is a lack of school places and public transport options. | The planning application for consideration will contribute towards the school to enable further school places for the new residents. The site falls within the catchment area of Waltham on the Wolds C of E Primary School and Belvoir High School at secondary level The LEA |

advise that the schools can be expanded to accommodate the demand from this development whether in isolation or if coinciding with other developments. Please see item 3 of this agenda for these details.

There is a bus service that serves the village and it is hoped that with more residents will hopefully generate in more income and subsequently a better bus service.

The proposal does not generate facilities that will necessarily fall to the PC to maintain. The new houses would contribute to Parish Council precepts in the same manner as existing.

There is no evidence to demonstrate this consequence.

Other Material Considerations, not raised through representations:

| Consideration | Assessment of Head of Regulatory Services |
|--|---|
| Landscape Impact | |
| The development does not compliment the landscape that it is proposed to be situated in. | This has been closely assessed and reference is taken from the Melton Borough Areas of Separation, Settlement fringe sensitivity and local green space study September 2015 |
| | This states that in LCZ 2 Any development should achieve a gradation of sensitivity to the outer edges and contribute to a positive gateway/approach to the settlement from the north and a more porous landscape edge. |
| | It is considered that this could be achieved in any subsequent reserved matters application. |
| Neighbourhood Plan | National Planning Policy Guidance states that: |
| Concern that development should not go ahead | |
| until the Neighbourhood Plan is complete. | a) the development proposed is so substantial, or its cumulative effect would be so significant, that |
| Concern that development should not go ahead until the Neighbourhood Plan is complete. | to grant permission would undermine the plan- making process by predetermining decisions about the scale, location or phasing of new |
| The Waltham Neighbourhood Plan is still in | development that are central to an emerging |
| development and recently completed its 'Reg 16' | Local Plan or Neighbourhood Planning; and |
| consultation exercise. The parish council and | b) the emerging plan is at an advanced stage but |
| currently deciding whether to proceed to | is not yet formally part of the development plan |
| Examination and, subsequently, Referendum. | for the area." |
| The site lies outside the Village Envelope | It goes on to advise that " Refusal of planning |
| Identified by the Neighbourhood Plan and is | permission on grounds of prematurity will seldom |
| therefore contrary to Policy S1 which states | be justified where a draft Local Plan has yet to be |
| that: | submitted for examination, or in the case of a |
| "D 1 | Neighbourhood Plan, before the end of the local |
| "Development proposals within the | planning authority publicity period" |
| Neighbourhood Plan area will be supported on sites within the Limits to Development as | Where refusal of planning applications are made |
| identified in Figures 3 and 4 (overleaf) where | on the grounds of prematurity the authority needs |
| they comply with the policies of this | to indicate clearly how planning permission |

Neighbourhood Plan and subject to design and amenity considerations. Land outside the defined Limits to Development will be treated as open countryside, where development will be carefully controlled in line with local and national strategic planning policies". (Exceptions are also listed which are not applicable to this proposal).

Policy H1 states:

Having regard to the number of dwellings already constructed plus existing sites with planning permission and allowing for allocated draft Local Plan sites within the Limits to Development, the Parish has exceeded its housing requirement over the Plan period. Therefore, until such a time as there is an increase in housing need across Melton Borough or unless there is a failure to deliver the existing commitments, further housing development in the Parish will be restricted to Windfall development in line with Policy H8.

The proposal is contrary to Policy ENV12: Protection of Important Views, in which views in to Waltham Southwest from Bescaby Lane: a good view of the village with the characteristic Church steeple across pasture with fine ridge and furrow earthworks have been specifically identified.

The Policy requires that "Development proposals should respect the open views and vistas"

Application of Planning Policy

The NPPF recognises that housing should meet the needs of present and future generations (para 10). It continues to recognise the importance for local planning authorities to understand the housing requirements of their area (para 28) by ensuring that the scale and mix of housing meets the needs of the local population. This is further expanded in para 110-113, in seeking to ensure that housing mix meets local housing need.

The NPPF seeks to boost the economy and house supply to meet local housing needs.

would prejudice the outcome of the plan-making process.

It is considered that the NP is not in the position to which the National Guidance advises 'prematurity' concerns can be applied, and therefore not considered that a refusal could be reasoned on the grounds of prematurity in light of the above factors.

However the Neighbourhood Plan is a material consideration that should be taken account in determining the application, alongside all others. It is considered that its weight should be 'limited'. PLEASE SEE ITEM 3 OF THIS AGENDA FOR GREATER DETAIL.

The conflict with the Neighbourhood Plan is a factor that is considered weighs against the granting of permission.

Waltham is considered to perform well in sustainability terms owing to its community facilities and transport links. Recent decisions made by the Council and on appeal by the Secretary of State have described it as a sustainable location for housing for these reasons and there have been no material changes to this position in the interim. It is therefore considered that it could be impossible to refuse the application of the basis of the sustainability of the location.

However, sustainability also takes into account economic and environmental factors and it is recognised that the site is 'greenfield' without a presumption for development. This is considered to weigh against the proposal. However, the land is not identified by any study or policy as important to the setting of Waltham nor is it designated as important countryside, for example through National Park, AONB or any other landscape designation giving it 'special' status. Accordingly it does not meet the types of location that the NPPF requires to be protected and accordingly only limited weight can be afforded to this aspect.

5 year land supply issues:

The application is required to be considered against the Local Plan and other material considerations. The NPPF is a material consideration of some significance because of its commitment to boost housing growth.

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.

The Council's most recent analysis shows that there is the provision if a 5 year land supply and as such the relevant housing policies are applicable.

However, the 1999 Melton Local Plan is considered to be out of date and as such, under para. 215 of the NPPF can only be given limited weight.

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".

Furthermore, 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..."

Whilst the Local Plan has progressed by advancing to Pre-submission stage, it remains in preparation and as such can be afforded only limited weight. (PLEASE SEE ITEM 3 OF THIS AGENDA FOR GREATER DETAIL). This is also reduced by the fact that the consultation received have not vet been considered and addressed. We therefore need to consider the application in accordance with paragraph 215 of the NPPF which states due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

It is therefore considered that it can attract weight but this is limited at this stage.

The site is not identified for housing purposes in

The (new) Melton Local Plan – Pre submission version.

The Pre Submission (including 'Focussed Changes') version of the Local Plan was submitted to the Secretary of State for Examination on 4th October 2017.

The NPPF advises that:

From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- 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 policies (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 emerging plan to the policies in the Framework, the greater the weight that may be given).

The Local Plan identifies Waltham as a 'service centre' in respect of which, under Policy SS3, development would be acceptable, subject to satisfying a range of criteria specified.

the Emerging Local Plan.

The conflict with the Local Plan is a factor that is considered weighs against the granting of permission.

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 Borough is deficient in terms of housing supply more generally and this would be partly addressed by the application, Affordable housing provision remains one of the Council's key priorities. This application presents the policy position of 37% of affordable units which is 17 out of the 45.

Waltham is considered to be a sustainable location for housing having access to various facilities, primary education, local shops, and a regular bus services and limited distances to employment opportunities and this has been established in previous decisions.

It is considered that balanced against the positive elements are the site specific concerns raised in representations, particularly the development of the site from its green field state and impact on the character of the village arising form the scale and nature of the proposal and the landscape setting of Waltham when viewed/approached from the east.

The Local Highway Authority do not consider that the proposal would lead to severe harm to highway safety either in isolation or when considered alongside permissions already granted and other porposals . In terms of character of the area, the submitted application is in outline stage only and the applicant has undertaken a detailed appraisal of the character of the settlement including a landscape assessment. The site is not covered by any specific designation however the proximity to the Conservation Area is noted.

Full details of appearance, layout and scale will be a matter for subsequent reserved matters applications where matters of design and impact can be fully assessed.

Contributions to provide additional capacity at the nearest Civic Amenity site and library are of a tariffed style request that will be 'pooled' under CIL Regulation 123 (3) whereby no more than five contributions can be pooled for any single infrastructure project. As stated above the request for improvements to the civic amenity site and library has been allocated to a specific projects that will increase the capacity at the site.

The education contribution would be used for the provision, improvement, remodelling or enhancement of education facilities at schools in the locality of the development which the residents of the development would usually be expected to attend at both Primary and Secondary level. They are therefore all considered appropriate for inclusion in a Section 106 agreement.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from this proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issue is considered to be development of a greenfield site.

The issue of development a greenfield site is considered to be of limited harm, bearing in mind its location and the absence of any identification that it is of particular landscape value, and conflict with Local ands Neighbourhood Plans have limited weight as a consequence of their state of advancement and circumstances surrounding them.

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 be granted.

Recommendation: PERMIT, subject to:-

- (a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:
 - (i) Contribution for the improvement to civic amenity sites.
 - (ii) Contribution for the improvement to libraries.
 - (iii) Contribution to the local Primary School and Secondary school capacity (see note below)
 - (iv) Contribution to sustainable transport options
 - (v) Contribution to maintenance of open space
 - (vi) The provision of affordable housing, including the quantity, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs
 - (vii) Contribution to Health Services capacity as set out in the report.

(NB with regard to (iii) above, the contribution is dependant upon the results of the feasibility work being carried out by the Local Education Authority (see item 3 of this agenda) and the outcomes of other applications. Any decision should be subject to the result of this work and the agreement of the applicant to the contribution that arises as a result).

(b) The following conditions:

- 1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- 2. No development shall commence on the site until approval of the details of the "external appearance of the building(s) and landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
- 3. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation
- 5. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.
- 6. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.
- 7. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.
- 8. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.
- 9. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use

- 10. The development shall be carried out in accordance with the measures set out in the Preliminary Ecological Assessment, Preliminary Bat Roost Assessment, Great Crested Newt Survey, Reptile Survey, Tree Survey and Arboricultural Report submitted as part of the application.
- 11. No demolition/development shall place/commence until a programme of archaeological mitigation work (archaeological excavation) has been detailed within a Written Scheme of Investigation (WSI), submitted to and approved by the Local Planning Authority in writing. The WSI shall include a statement of significance and research objectives, and:
 - -- The programme and methodology of site investigation and recording, with consideration of appropriate analytical methods to be utilised:
 - -- A detailed environmental sampling strategy, linked to the site research objectives and where appropriate informed by previous work (i.e. any previous archaeological evaluation or investigation of this site or in the vicinity);
 - -- The programme for public outreach and dissemination;
 - -- The programme for post-investigation assessment and subsequent analysis;
 - -- Provision for publication, dissemination and deposition of resulting material in an appropriate archive repository; and
 - -- Nomination of competent person(s) or organisation(s) to undertake the agreed work.

For land and/or structures included within the WSI, no demolition, development or related ground disturbance shall take place other than in accordance with the agreed WSI.

- 12. The programme of archaeological site investigation, subsequent analysis, publication, dissemination and deposition of resulting material in an appropriate archive repository shall be completed within 12 months of the start of development works, or in full accordance with the methodology and timetable detailed within the approved WSI.
- 13. Details of the routeing of construction traffic, to be approved by the Local Planning Authority in consultation with the Highway Authority, should be included in a S106 legal agreement. During the period of construction, all traffic to and from the site shall use the agreed route at all times unless otherwise agreed in writing by the LPA.
- 14. The site shall be served by a single point of vehicular access as shown generally on ADC Drawing No. ADC1481/001 Rev A, the full details of which shall first have been submitted to and approved by the LPA in consultation with the CHA before development commences. Notwithstanding the proposed design, all design matters shall be in accordance with the standards contained in the current County Council design guide and shall thereafter be permanently so maintained. Visibility splays shall be a minimum of 2.4 x 43 metres and nothing shall be allowed to grow above a height of 0.6 metres above ground level within these splays. The approved junction shall then be provided fully in accordance with the approved plans before any dwelling hereby permitted is first occupied.

NOTE: If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

Reason: To ensure a satisfactory form of development and in the interests of highway safety.

15. Notwithstanding the details submitted, all details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing, signing and lining and visibility splays and be submitted for approval by the local Planning Authority in consultation with the Highway Authority before development commences.

NOTE: Your attention is drawn to the requirement contained in the Highway Authority's current design guide to provide Traffic Calming measures within the new development.

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

Reasons:

- 1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 2. The application is in outline only.
- 3. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
- 4. To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public, nature conservation or historical significance.
- 5. To provide a reasonable period for the replacement of any planting.
- 6. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site
- 7. To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.
- 8. To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.
- 9. To ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
- 10. To ensure that the habitats of protected species are not harmed by the development.
- 11. To ensure satisfactory and proportionate archaeological investigation and recording of the significance of any heritage assets impacted upon by the development proposal prior to its loss, in accordance with local and national planning policy.
- 12. To make the archaeological evidence and any archive generated publically accessible, in accordance with local and national planning policy.
- 13. In the interests of highway safety
- 14. To ensure a satisfactory form of development and in the interests of highway safety.
- 15. To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.
- 16. To ensure a satisfactory form of development and in the interests of highway safety.

Officer to contact: Mr Glen Baker-Adams Date: 5th October 2017