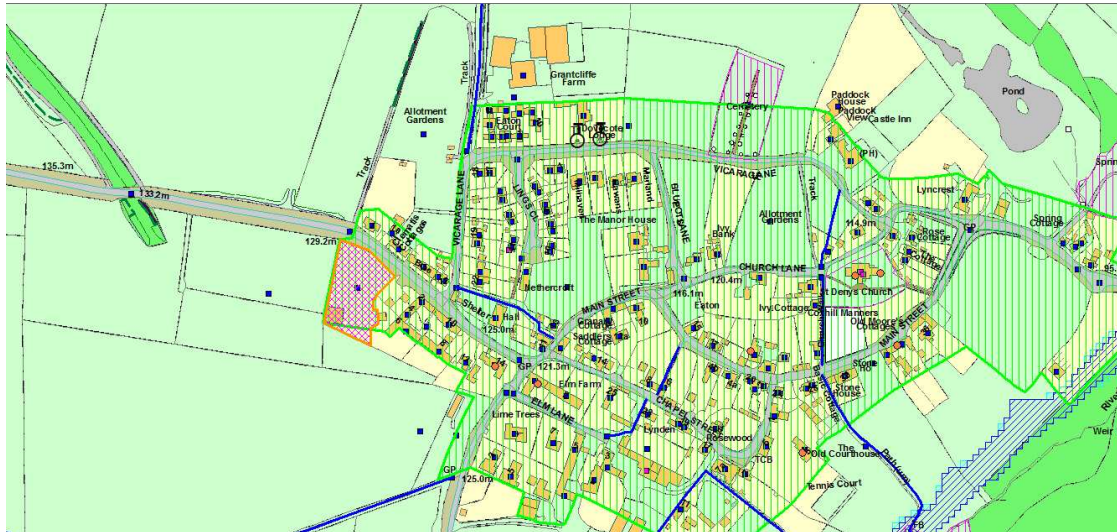


Reference: 17/00837/FUL
Date submitted: 05.07.2017
Applicant: Mr Craig Smith
Location: Land off Main Street, Main Street, Eaton
Proposal: Erection of four dwellings



Proposal:-

This application seeks **Full planning permission for 4 dwellings**, Plots 1 and 2 comprise three-bed semi-detached two-storey dwellings, plot 3 is one three bed single storey dwelling and plot 4 is one five bed two storey dwelling. The agent has stated that Plot 4 is intended to be for the applicant's own use.

The application site comprises the former stacking yard to the south side at Main Street Eaton. The site measures 0.3 hectares. The yard originally formed part of a farm which included the converted buildings immediately east of the site, there are derelict timber buildings currently on the site.

The site is located on the western edge of the village of Eaton with open Countryside to the western and southern boundaries, existing residential dwellings can be found to the eastern and northern boundaries. The site is located within the Conservation Area but outside of the Village Envelope.

Access to the site exists from Main Street which is currently secured by double bar gates with close boarded fencing to either side. A secondary access is found on the eastern boundary.

The site is considered to be a brownfield site with a presumption in favour of development, however Eaton is not considered a sustainable location for new housing development.

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 being a departure from the Policy Framework.

History:-

09/00155/FUL Erection of 3 Log Cabin style holiday units, erection of a utilities block and office, erection of steel framed storage barn, improvement to access from road and electric hook ups for 7 touring caravans – refused.

10/00395/FUL 4 holiday log cabin units, office, storage barn and improvement to access from road – Permit

13/00292/CON Removal of existing timber barns – Permit

13/00293/EXT Extend the time limit for implementation relating to Planning Approval 10/00395/FUL – Permit

14/00354/VAC Removal of Condition 15 relating to Planning Approval 13/00293/EXT – allowed at appeal.

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 - This policy restricts development including housing outside of town/village envelopes. In the context of this proposal, this policy could be seen to be restricting the supply of housing. Therefore and based upon the advice contained in the NPPF, **Policy OS2 should be considered out of date when considering the supply of new housing.**

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 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.

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:
 - 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
- 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 be 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

Conserving and enhancing the historic environment

- In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.
- In determining planning applications, local planning authorities should take account of:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- the desirability of new development making a positive contribution to local character and distinctiveness.
- When considering the impact of a proposed 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. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- Where a development 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, including securing its optimum viable use.

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>Highways Authority: Request further information.</p> <p>Site Access The site would be accessed off Main Street, which is a 30mph unclassified road forming part of the adopted highway network. Based on available records, the CHA does not own street lighting within the village and there does not appear to be street lighting present in the vicinity of the site access.</p> <p>Two site access drawings have been submitted, one of which indicates a 4.25m wide access with 5.5m dropped kerbs, while the other indicates a 4.80m wide access with a 6m kerbed radii. It is unclear which access the Applicant intends to proceed with, but for the quantum of development proposed the CHA would advise and accept a 4.25m wide access with dropped kerbs. 2.4m x 43m visibility splays have also been indicated and are considered acceptable at the site access.</p> <p>There have been no Personal Injury Collisions recorded within the vicinity of the site within the last 5 years.</p> <p>Internal Layout The internal road layout shown on Phil James Drawing No. 17/16/001 Rev C is somewhat unconventional, nevertheless while it is advisable to construct the layout in accordance with the 6C’s Design Guide due to the number of dwellings proposed it would not be considered for adoption</p>	<p>The submitted information demonstrates a satisfactory access and visibility splays to and from the site, however the proposal at present does not have an internal layout that currently is in line with guidance of the CHA.</p> <p>Additional information has been requested from and submitted by the applicant, this additional information is currently being assessed by the CHA and the response will be given verbally at the Committee meeting.</p> <p>Given the planning history to the site and the acceptance of the access and visibility, it is considered that the proposal can be amended to conform to the requisite guidance in this instance.</p> <p>The traffic capacity impact of 4 dwellings is not considered to be significant.</p> <p>There are considered to be no grounds to resist permission based on highways issues.</p>

<p>by the CHA.</p> <p>While the number of parking spaces is considered appropriate in proportion to the number of bedrooms proposed for each dwelling, the spaces for Plots 1 – 3 are detached from the main entrances of the properties. This could lead to the spaces being underused and occupiers parking within the highway out of convenience instead.</p> <p>The CHA would advise at the very least that footpaths and gates from the parking spaces in to the rear gardens of these three plots are considered on a revised plan in order to reduce the distance occupiers would have to walk to the property from the spaces.</p> <p>Transport Sustainability Eaton is supported by a two hourly bus service, and while the CHA would not consider the village to be a sustainable location in transport terms, it is satisfied for the Local Planning Authority to determine the overall sustainability considerations of the site.</p> <p>Should the Applicant submit a revised plan indicating improved connectivity to the parking spaces or an improved parking layout, the CHA may be in a position to issue favourable observations.</p>	
<p>Parish Council:</p> <p>The Parish Council have studied the information provided and have no objections to the proposed dwellings, however they do have concerns over the propose access driveway.</p> <p>It does not appear to be located in the most suitable place and would probably be better if moved adjacent to no2 Main Street. The Parish Council presume the Highways Department will have a view on the access point and the Parish Council will accept whatever suggestions are made if any.</p>	<p>Noted.</p> <p>Please see comments above in relation to the Access.</p>

Representations:

Site notices were posted and neighbouring properties consulted. As a result **6 letters of objection have been received** from 3 separate households and **5 neutral responses have been received** from 4 separate households, the representations are detailed below:

Representations	Assessment of Head of Regulatory Services
<p>Impact upon the Character of the Area</p> <ul style="list-style-type: none"> - The building is out of scale with surrounding properties. - The development would have an effect on the peace and quiet and wildlife of a conservation area and mature planting. 	<p>Eaton is a small village which is predominantly made up of ironstone dwellings, clustered in small groups.</p> <p>The application site is set on the edge of the</p>

<ul style="list-style-type: none"> - Design completely out of character with both the village in general and particularly surrounding properties. - The plans suggest a complete levelling of the mature trees and hedging to the roadside. - No landscape scheme has been submitted, or any indication as to how this would impact issues over site levels. - The barge boards should be of a decorative nature and not just plain barge boards. 	<p>village and forms part of the Conservation Area. The site is a former stack yard which related to the converted farm buildings to the east which now forms three dwellings, the yard is no longer used but hosts two derelict farm sheds in the south-west corner.</p> <p>The applicant has confirmed the use of ironstone and pantiles within the development, along with timber windows and doors however should permission be granted then a condition would be imposed requesting the submission of materials prior to the commencement of development.</p> <p>The highway verge will be maintained and the hedgerow to the front of the development will be retained or re-planted, however full details of proposed landscaping could be secured by way of condition.</p> <p>Subject to conditions securing the submission of further details, it is considered that the proposed dwellings will sit well amongst the existing built form, being of a design that enhances the conservation status of the village.</p>
<p>Impact on Residential Amenity</p> <ul style="list-style-type: none"> - The land along the eastern boundary close to the fence is approximately 1.0 metre higher than the land on which our property is built. - The proposed height of the 3 car garage with office above is 6.25m meaning this would tower above our existing garage of 5 metres in height and the western side of our house and garden. - The external stairway and entrance on the south elevation of the proposed garage/office provides a viewing platform at a height of 3.25m plus the raised ground level of 1.0m providing direct views into garden, living room, hallway and possibly kitchen. - The building would cause overshadowing and loss of light - Possible solutions could include the removal of the office above allowing a reduction in height of the building or relocation of the building to the western boundary. - The proposed dwellings would overlook and cause a loss of privacy to all surrounding properties. - The whole site is considerably higher than surrounds, previous applications have only been approved on the condition that the whole site be dropped 	<p>There is a difference in levels between the application site and the surrounding area, this was recognised on a previous permission which granted log cabins.</p> <p>As per that application, should planning permission be granted a condition can be imposed requesting full details of site levels to be submitted prior to the commencement of development.</p> <p>In terms of the proposal, whilst the garage will be at a greater height than surrounding buildings, the garage and office are in a location that offers sufficient separation distance to the existing built form so that no unacceptable impact will be caused on existing occupiers in terms of loss of light or overshadowing.</p> <p>It is considered that subject to the submission of further details in respect of the finished floor levels, the proposal can achieve a satisfactory separation distance to existing dwellings and be of a design that does not significantly impact upon the existing built form.</p>

<p>by at least one full metre and existing banks, hedges and trees remain.</p>	
<p>Impact upon Highway Safety:</p> <ul style="list-style-type: none"> - It will enhance the area, but it would be impossible to use the current entrance on the corner, as the park is directly opposite, and vision limited, and dangerous - The bank would have to be dismantled, and the road is too narrow, especially if cars are parked outside houses on the other side of the road - How many cars would be using the site - When planning was granted for existing dwellings in 2003 a condition was applied that the garage must always be available as a garage to ensure sufficient off road parking. - Is the lane access to these properties capable of supporting 8 to 12 cars coming and going each day. - Point 2.1 on page 2 mentions a secondary access which we understand is not for general use. - This secondary access is over private land and past 3 garage block which are not shown on the submitted plans. - Have the visibility splays for access on to Main Street been considered - Highway safety would be greatly reduced as the proposed access drive is on a blind bend on the entrance/exit to the village, no account has been taken of on street parking outside of numbers 1, 1a, 3 & 5. - The impact of potentially another 9 vehicles using any access to this site is only heightening the risk of accidents, particular attention has been noted on previous occasions that the community park entrance is opposite so a number of young children are around this area. - The visibility splay for traffic entering and existing the village would require a complete elimination of the wall, hedges, and trees that currently completely block the line of site around the corner of the existing exit when entering the village from Stathern end. - It would also require the lowering of the grass verge to road level. None of this is indicated on the drawing ADC1598/002 dated 23/05/2017 titled Proposed Access Junction Layout. - A reduction of 1 metre or more was a condition in permitting the previous planning application 10/00395/FUL dated 21.05.2010 and 13/00293/EXT 	<p>The Highway Authority have assessed this application and do not raise concern over the access.</p> <p>With regards to on street parking, revised details have been requested and submitted to ensure that the parking spaces are more easily accessible and arranged to better promote the off street parking provided in the scheme.</p> <p>The submitted site plan shows that the access point is on land outlined in red and the applicant has signed to certify that they own this land.</p> <p>It is set out that the secondary access will be retained, but will not be used for vehicular access.</p> <p>Should access be required over third party land then an agreement would need to be formed between the applicant and the land owner.</p>

<p>dated 02.05.2013</p> <ul style="list-style-type: none"> - The reduction of one metre or more should form part of the new particulars of decision. - The proposed access to the site is extremely problematic. The current raised height of the grass verge, wall, hedges and trees over that of the road represent an obstruction to the visibility splay on entering the village. - The entrance will be hidden on the right by these obstructions. 	
<p>Drainage</p> <ul style="list-style-type: none"> - Water pressure and sewage information is needed from Severn Trent - No scheme has been submitted for the disposal of foul and surface water and its impact on surrounding houses at a lower level on Main Street. - There is no indication of finished site levels (with the exception of the access). Any proposed levels are fundamentally important to this site since it encompasses the foul and surface water disposal and the relevant drops to the main connections in the road. - The water pressure at this end of the village is low and further dwellings will only add to this problem. - The site was previously used for dairy farming, therefore contamination of chemicals used in dairy farming 100 years ago may exist on this site. Tests should be carried out to eliminate this possibility. 	<p>Due to the size of the development, detailed information cannot be requested from statutory consultees, however standing advice has been considered in the determination of this planning application.</p> <p>Conditions can be imposed that can require further information prior to the commencement of development.</p>
<p>Utilities</p> <ul style="list-style-type: none"> - Has there been any contact with BT regarding internet speeds and the addition of 4 households to the existing infrastructure. - Is there any provision for additional lighting in the development? Where might this be located and what impact might that have on surrounding properties 	<p>The proposal is for the erection of four dwellings, therefore the impact of this development is not considered significant, and would not in the opinion of the Local Planning Authority impact on the existing infrastructure.</p> <p>In terms of lighting as confirmed in the consultation response from the County Highway Authority the CHA does not own street lighting within the village and there does not appear to be street lighting present in the vicinity of the site access.</p> <p>Given the size of the development, it would be unreasonable to request such lighting by way of planning condition.</p>
<p>Other Matters Raised</p> <ul style="list-style-type: none"> - There is potential in the future for this office with toilet and kitchenette or in fact the whole building to be converted 	<p>Each application is determined on its own merit, should the use of the garage/office change to residential accommodation in the future, then</p>

<p>into a residential unit (studio apartment perhaps) for rental income or let out on a commercial basis.</p> <ul style="list-style-type: none"> - This could cause a further loss of privacy as well as adding additional noise and vehicular traffic. - The initial consultation letter from the agent said the application was for 5 houses without change of plan, the plan is now said to be for 4 houses. - The Design and Access Statement talks about “three dwellings or less” and “up to three dwellings” - The multi car garage/office could in future be easily converted into a 5th dwelling as the plan already includes a kitchenette and toilet. - No account taken to the impact on local businesses upon which business rates are paid with regard to increased disturbance from vehicles, people and building works - With other pending/approved applications in the village I feel this would have a negative impact on village and surrounding village amenities. - There is no proposal as to build duration for this development (months or 1 year 2 years or as happened with the previous development the Old Dairy and Farms of 5 years continuous build, with major invasion of privacy due to high noise levels during building) - Any extended times for development or working days (weekends should not have nay working) would have a serious impact on privacy, since large amounts of their time are spent in and around their homes - Noise on the construction site. In particular site stone cutting, is extremely intrusive and reduces the privacy of what is a very low noise level in the village generally, at this end of the village. - I understand that it is proposed that the planning decision be made by the Council planning office. I do not believe this is appropriate in this instance, the application should be determined by the Council Planning Committee. 	<p>this would require consent in its own right and a further planning application that would be considered accordingly.</p> <p>A condition can be imposed to a planning permission which restricts the use of the garage/office to remain ancillary to the host residential dwelling.</p> <p>The quotation of “three dwellings or less” and “up to three dwellings” refers to the proposed wording of the New Melton Local Plan, and development which may be acceptable to the village, this wording has subsequently been altered by the Focussed Changes of the New Melton Local Plan, please see below for further comment on the Local Plan.</p> <p>The introduction of additional housing would be considered a benefit to existing businesses, construction work if the application is granted would be considered to be for a limited amount of time.</p> <p>As previously mentioned, each application is determined on its own merit, Eaton is considered as one of the lesser sustainable settlements of the Borough and therefore it is noted that amenities/facilities are limited, whilst the provision of 4 houses within the village is not considered a significant supply, it is considered to be of a benefit to existing facilities.</p> <p>Planning applications have an implementation date of 3 years from approval, the Committee can if minded, can reduce this time if they consider it appropriate.</p> <p>Working hours and noise are regulated under separate legislation to that of planning, should issues of noise or nuisance arise from a permitted application, Environmental Health have the ability to monitor and enforce these issues.</p> <p>The application will be determined in accordance with the requirements of the Constitution.</p>
<p>Neutral Comments</p>	<p>Assessment of Head of Regulatory Services</p>
<ul style="list-style-type: none"> - In principle support the development as it would be beneficial to the village - A scheme sensitive to the local environment and conservation area and carefully managing traffic and safety 	<p>Noted.</p>

concerns would enhance the entrance to the village and benefit the local community.	
---	--

Other Material Considerations not raised through representations:

Consideration	Assessment of Head of Regulatory Services
Housing type	<p>Housing Mix: The proposal contains predominantly 3 bed dwellings of a cottage and single storey design.</p> <p>These are considered to reflect identified needs as identified in the Housing Needs Study 2016.</p>
<p>Conservation Area</p> <p>When determining applications within a Conservation Area, the NPPF advises at Paragraph 137</p> <p>Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.</p> <p>Para 134: Where a development 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, including securing its optimum viable use.</p>	<p>The application site is within Eaton Conservation Area. S72 of the Listed Buildings and Conservation Areas Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of that area.</p> <p>The application site at present does not make a positive contribution to the Conservation Area, the land contains old dilapidated buildings and an area of hard standing remaining from its previous use as a dairy farm. The location of the site is important to the village as it would form the entrance to the village when accessed from the West, given that the site has neighbouring residential dwellings, it would seem appropriate in this instance for a residential use.</p> <p>The submitted drawings show a sympathetic design to those of its surroundings, with the majority of the development being small cottage style dwellings and the indicated use of ironstone to harmonise with their conservation backdrop.</p> <p>The proposal is considered to cause less than substantial harm in this instance and therefore paragraph 134 of the NPPF should be taken into consideration</p> <p>As set out, in this instance, given the surroundings of the site, residential is considered a viable use, the benefit albeit limited of delivering housing and the use of locally found material would overcome any harm, in this instance.</p>
Planning Policy	<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</p>

	<p>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>Paragraph 17 of the NPPF sets out the Core Planning Principles of which set out the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking.</p> <p>One of these principles relate to development on brownfield land, this encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value, this is echoed in Paragraph 111 of the NPPF.</p> <p>The site is a brownfield site which does have a presumption in favour of development, however the village of Eaton is not considered to be a sustainable location for proposed residential development due to its location away from and also the limited provision of service within the village.</p> <p>However the harm attributed by the development are required to be considered against the benefits of allowing the development in this location. The provision of housing on a brownfield site with the house types that meet the identified housing needs is considered to offer some benefit, along with promoting housing growth.</p>
--	--

	<p>The proposal would provide market housing in the Borough and would contribute to land supply albeit a small number. There would be some impact upon the appearance of the area and technical matters which require mitigation. The form of development is considered be acceptable and the benefits of the proposal outweigh these concerns. It is therefore considered to be in accordance with the core planning principles of the NPPF.</p>
<p>The (new) Melton Local Plan – Submitted version.</p> <p>The Local Plan has recently been submitted to the Planning Inspectorate for examination and consideration.</p> <p>The NPPF advises that: From the day of publication, decision-takers may also give weight 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 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). <p>The submitted version of the Local Plan identifies Eaton as a ‘Rural Settlement’, in respect of which, under Policy SS3, Rural Settlements will accommodate a proportion of the Borough’s housing need, to support their role in the Borough through planning positively for new homes as ‘windfall’ sites within and adjoining settlements by 2036. This development will be delivered through small unallocated sites which meet needs and enhance the sustainability of the settlement in accordance with Policy SS3.</p> <p>Open Countryside: Outside the settlements identified as Service Centres, and those villages identified Rural Hubs and Rural Settlements, new development will be restricted to that which is necessary and appropriate in the open countryside.</p> <p>Eaton Neighbourhood Plan</p> <p>Eaton has yet to approach to the Local Planning Authority with regards to a Neighbourhood Plan,</p>	<p>Whilst the Local Plan 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 owing to the stage of advancement and extent to which it’s content is contested.</p> <p>The proposal is not strictly in accordance with the emerging local plan in terms of its location of housing proposed (see applicable policy opposite).</p> <p>The proposal is located in a Rural Settlement which does not perform well in terms of services provided and location to nearby services, however the proposal is on brownfield land and does propose smaller houses which are needed within the Borough.</p>

therefore at present there is no Neighbourhood Plan to consider in this instance.	
No sites in Eaton have been allocated for residential development.	

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 not deficient in terms of housing land supply. The methodology used to demonstrate that there is a 5year supply has included sustainable sites, which have been scrutinised as part of the evidence supporting the new Local Plan.

The application site does not form a sustainable site and preforms poorly in the provision of and distance to services required for day to day living.

Housing provision remains of the Council’s key priorities. This application presents a limited number of smaller housing that helps 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 and of a type to support the housing need.

The site is a brownfield site, having previously been used as a dairy and parlour but has been vacant for some time with permissions previously granted on the site for log cabins. It is considered that there are material considerations **of significant weight in favour** of the application, and it’s previously use land class adds additional support.

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the site levels and the sustainability of Eaton.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and the smaller units on a Brownfield site. The balancing issues – development in an unsustainable location and appearance – are considered to be of limited harm.

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 following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. No development shall start on site until representative samples of the materials to be used in the construction of all external surfaces have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. The proposed development shall be carried out strictly in accordance with plan drawing numbers

Location plan 5 July 2017
Drawing number 17/16/001 29 September 2017
Drawing number 17/16/001 rev D 5 July 2017
Drawing number 17/16/003 5 July 2017
Drawing number 17/16/004 5 July 2017
Drawing number ADC1598/001 5 July 2017
Drawing number ADC1598/002 5 July 2017

4. 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.
5. No development shall take place on site until details of existing and finished site levels and the floor levels of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with such agreed details and thereafter retained in the agreed form, and there shall be no changes to the agreed levels in the future.
6. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development.
7. 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.
8. Hard and soft landscaping works shall be fully carried out in accordance with the approved details, including the approved timetable, and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice.
9. Any trees or plants which, within a period of five years after planting are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.
10. All means of vehicular and pedestrian access/egress to and from the site shall be from the improved access from Main Street and no other access/egress shall be used. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) no other access shall be formed unless planning permission is first obtained from the Local Planning Authority.
11. The office accommodation hereby permitted shall be occupied solely by members of the household of the principal dwelling, or their dependants as ancillary office accommodation and it shall not be used or severed from the principal house and used as a separate and unconnected dwelling unit.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
3. For the avoidance of doubt.
4. To ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
5. To safeguard the local environment and to prevent any over-looking/loss of privacy of neighbouring residential property by ensuring an appropriate relationship to adjoining land uses.
6. To ensure satisfactory landscaping is provided within a reasonable period.
7. To provide a reasonable period for the replacement of any planting.

8. To ensure the provision, establishment and maintenance of landscaping to a reasonable standard in accordance with the approved proposals.
9. Any alternative access/egress and highway network within the locality is inadequate to cope with the additional traffic that would be generated by the development hereby approved and in order to protect the amenities of neighbouring property from additional noise/disturbance arising from a more intensive use.
10. The Council would not normally be inclined to allow the formation of a separate residential unit given these particular site characteristics.

Officer to contact: **Ms Louise Parker**

Date: 5th October 2017.