



**Melton  
Borough  
Council**

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# Planning Committee

16 January 2025

Report of: Assistant Director for Planning

**24/00312/OUT - Land OS 477212 320364, Waltham Road,  
Thorpe Arnold**

**Proposal: Outline planning application for the development  
of 9 homes**

**Site: Land OS 477212 320364, Waltham Road, Thorpe Arnold**

**Applicant: Mr William Lee**

**Planning Officer: Alex Coy**

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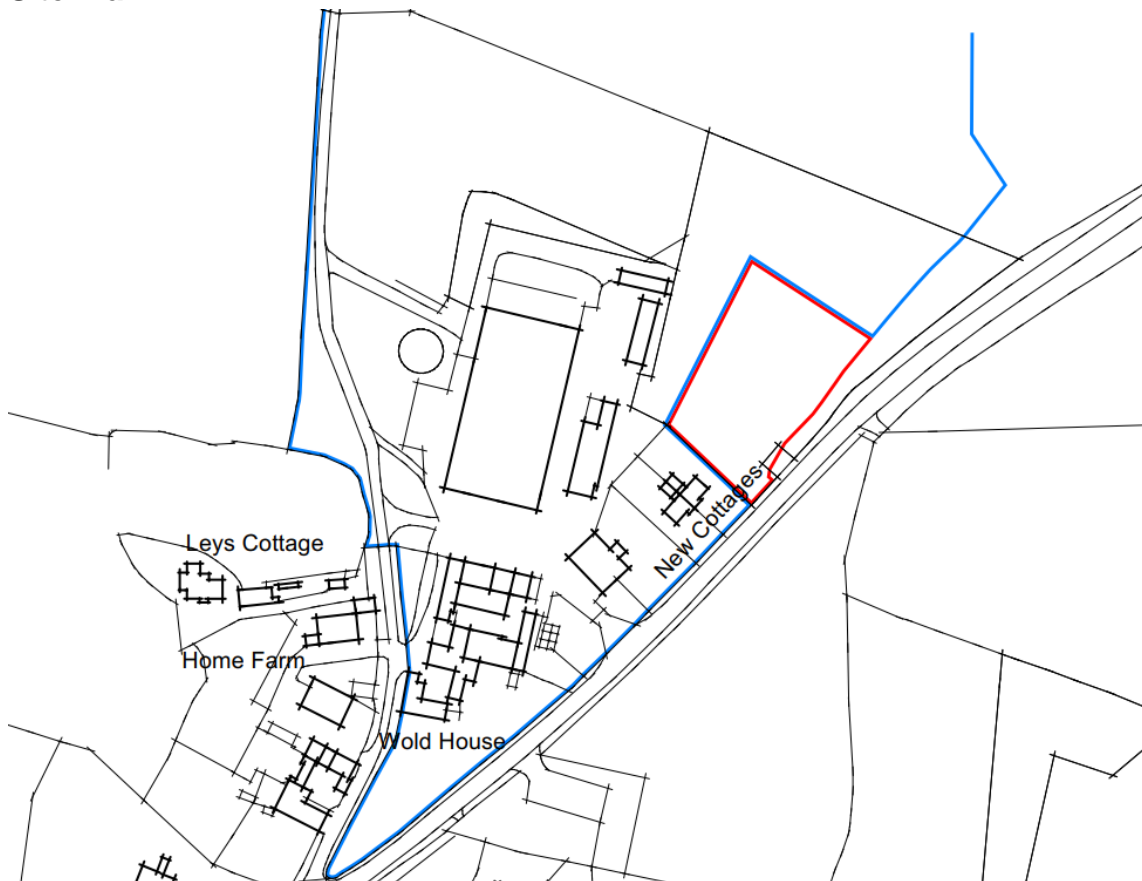
<b>Corporate Priority:</b>	Delivering sustainable and inclusive growth in Melton
<b>Relevant Ward Member(s):</b>	Councillor Richard Sharp (Waltham on the Wolds)
<b>Date of consultation with Ward Member(s):</b>	9 October 2024
<b>Exempt Information:</b>	No

**Reason for Committee Determination:** Letters of objection have been received from more than 10 households (19 objections from 16 households), contrary to the Officer recommendation

**Web Link:** <https://pa.melton.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

**What 3 words:** <https://w3w.co/aspect.below.shop>

**Site Plan:**



RECOMMENDATION(S)
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It is recommended that the application is APPROVED subject to:
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| 1. Conditions detailed in Section 10 of this Report |
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## 1 Executive Summary

- 1.1 The application relates to a site to the west of Waltham Road to the north-east of Thorpe Arnold. The site comprises of 0.34 hectares of agricultural grazing land. Evidence of notice having been served on the current agricultural tenant has been submitted and officers are satisfied with this evidence.
- 1.2 Outline planning permission is being sought for the erection of 9 dwellings. The outline application only deals with the principle of development. All other matters are to be dealt with at reserved matters stage this includes; access, appearance, landscaping, layout, and scale. In addition, housing mix has been conditioned to be submitted at the reserved matters stage. However, an indicative layout plan has been submitted as part of the application and details of the potential access arrangements have been submitted, alongside details on the

Biodiversity Net Gain (BNG) and biodiversity enhancements onsite. The indicative plan proposes that the development would be accessed via Waltham Road and this would be in located in the southern corner of the site where the site abuts Thorpe Road (Waltham Road).

- 1.3 The application site is within the THOR2 allocated site as allocated by the Melton Local Plan and Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan. Therefore, it is considered that the principle of housing in this location is acceptable and is in accordance with Policies SS1, SS2 and C1 (A) of the Local Plan and Policies S1 and H1 of the Neighbourhood Plan and the overall aims and objectives of the NPPF 2024.
- 1.4 Based on the indicative information submitted with the application it has been satisfactorily demonstrated that the site can be developed in the form being suggested without resulting in a sense of overdevelopment or adversely impacting the visual amenity of the area. Furthermore, it is considered that proposal would not impact negatively on the landscape, or on neighbouring residential amenity to an extent that it would justify refusing planning consent. Therefore, the proposal satisfies the objectives of Policies D1, EN1 and EN6 of the Local Plan and Policies H1, H6, ENV12, of Neighbourhood Plan so far as can be assessed at the outline application stage. The detailed design of the scheme and its resultant impacts will ultimately be controlled by the Local Planning Authority at reserved matters stage.
- 1.5 Based on the indicative information submitted with the application it has been satisfactorily demonstrated that the site can be developed in the form suggested without resulting in undue impact upon highway safety and access, ecology, flooding and drainage and heritage subject to the recommended conditions detailed within the section 10 of the report. Therefore, the proposal satisfies the objectives of Policies C1 (A) D1, EN2, EN11, EN13, IN2 of the Local Plan and Policies H6, ENV9, ENV11, ENV13 and T1 of the Neighbourhood Plan so far as can be assessed at the outline application stage with the detailed design, layout and landscaping of the scheme and its resultant impacts ultimately being in the control of the Local Planning Authority at reserved matters stage.
- 1.6 It should also be noted that are no objections from statutory consultees.
- 1.7 Therefore, for the reasons set out above, the proposed development accords with the Development Plan for the area, comprising the Melton Local Plan, Waltham & Thorpe Arnold Neighbourhood Plan and the National Planning Policy Framework (2024) and the application is recommended for approval subject to the condition detailed within section 10 of the report.

## **Main Report**

### **2 The Site**

- 2.1 The application relates to a site to the west of Waltham Road, Thorpe Arnold. The site comprises of 0.34 hectares of agricultural grazing land with a number of trees within the site. The site is currently accessed via an agricultural access to the north-west of the site (this is not an access from the adopted highway). The proposed access would be off Waltham Road, for clarification this road is stated on a number of maps as Thorpe Road however at the specific proposed access point the road is designated as Waltham Road and therefore will be named as that throughout the rest of report.
- 2.2 The site is broadly rectangular in shape and has two residential dwellings to the south-west, an active farm to the west, and to the north will be the development of the MMDR. The

redline boundary of the site does not encapsulate the entire agricultural field and only covers the south-eastern corner of the field.

- 2.3 The site is located within the limits to development of the Waltham and Thorpe Arnold Neighbourhood Plan but is not within a designated Conservation Area nor in close proximity to a listed building.
- 2.4 The site is located approximately 2km north-east of Melton Mowbray Town Centre which has a wide range of services, facilities and public transport links whilst there are also other facilities within easy reach of the site including a supermarket 1km to the south-west.

### 3 Planning History

- 3.1 No relevant planning history at the site.

### 4 Proposal

- 4.1 Outline planning permission is being sought in this case for the construction of 9 dwellings. The outline application only deals with the principle of development all other matters are to be dealt with at reserved matters stage this includes; access, appearance, landscaping, layout, scale and housing mix. The site lies within THOR2 as allocated by the Melton Local Plan and Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan.
- 4.2 As the application is outline with only principle to be determined, the layout and mix of housing will be determined within a reserved matters application at a later stage. However, an indicative layout plan has been submitted as part of the application (see below) and details of the potential access arrangement have been submitted, alongside details on the BNG and biodiversity enhancements onsite. The indicative plan proposes that the development would be accessed via Waltham Road and this would be in located in the far south corner of the site.



## **5 Amendments**

- 5.1 The redline boundary was amended following concerns raised by LCC Highways over the potential access to the site. A full 21-day re-consultation occurred following the submission of the revised redline boundary.
- 5.2 Furthermore, additional information specifically in regard to the access has been submitted during the course of the application process. This was in response to technical and environmental issues raised by a number of statutory consultees including LCC Highways, LCC Ecology.
- 5.3 Re-consultation has taken place following each change to the proposed scheme and the responses received are set out in Section 7 below.

## **6 Planning Policy**

### **6.1 National Policy**

- 6.1.1 National Planning Policy Framework (NPPF)
- 6.1.2 National Planning Policy Guidance (NPPG)

### **6.2 Melton Local Plan**

- 6.2.1 The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and forms part of the Development Plan for the area.
- 6.2.2 The Local Plan is up to date and consistent with the latest revised versions of Government Guidance as contained in the National Planning Policy Framework.
- SS1: Presumption in Favour of Sustainable Development
  - SS2: Development Strategy
  - EN1: Landscape
  - EN2: Biodiversity and Geodiversity
  - EN6: Settlement Character
  - EN13: Heritage Assets
  - IN2: Transport, Accessibility and Parking
  - D1: Raising the Standard of Design
  - C9: Healthy Communities

### **6.3 Neighbourhood Plan**

- 6.3.1 The Waltham on the Wolds & Thorpe Arnold Neighbourhood Plan was adopted on 6th June 2018 and forms part of the Development Plan.
- S1: Limits to Development
  - H1: Housing Provision
  - H2: Housing Mix Policy
  - H6: Housing Design Principles
  - ENV9: Biodiversity
  - ENV11: Ridge and Furrow Fields

- ENV12: Protection of Important Views
- ENV13: Footpaths and Bridleways
- T1: Transport Requirements for New Development

#### 6.4 **Other**

6.4.1 The Design of Development Supplementary Planning Document (SPD) was adopted on 24 February 2022.

## 7 **Consultation Responses**

### 7.1 **Summary of Technical Consultation Responses**

7.1.1 The below is a summary of responses received during the public consultation period. To view the full comments received to this application please visit;

<https://pa.melton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SAJQFCKO0K600>

#### 7.1.2 **LCC Highways**

a) The Local Highway Authority Advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.

Given the location of the site in relation to the North and East Melton Mowbray Distributor Road (MMDR) roundabout 6, and the anticipated impact that this would have on speeds at this location, once the roundabout is constructed, the LHA do not consider it necessary in this instance to apply Policy IN5. The Applicant should overlay the site plan onto the MMDR roundabout 6 drawings, to establish where the site access is in relation to the roundabout.

The LHA advise that any future reserved matters application relating to the site access should demonstrate that the access has been designed in accordance with Part 3, Figure DG17 of the LHDG. Should the Applicant intend for the site to be considered for adoption by LCC then the site access should be designed in accordance with Part 3, Section DG2 of the LHDG.

Drawing No. 07653-FPCR-XX-XX-DR-A-0007 shows the provision of a 2.4m by 54m visibility splay on either side of the access. The LHA advise that the aforementioned splays are suitable where measured vehicle speeds, in the vicinity of the access, do not exceed 35mph.

Any future reserved matters application should be supported by the results of a speed survey taken as close to the site access as possible. The speed survey will inform the required splays in accordance with Table DG4 of Part 3 of the LHDG (shown below) which specifies required visibility splays based on recorded 85th percentile speeds. As part of a future reserved matters application, should planning permission be granted, a Stage 1 Road Safety Audit (RSA1) will be required to be undertaken for the new site access and submitted accompanied by a satisfactory Designer's Response and, if required, an amended drawing.

The splays should be free of any obstruction above 0.6m from the ground and should be contained solely within land under control of the Applicant or the LHA.

The LHA re-confirm it appears a safe and suitable site access should be achievable upon submission of supporting information and an appropriate access design as part of a future reserved matters application, should planning consent be granted.

The LHA therefore conclude that the site is located in a remote, rural location and a considerable distance from pedestrian footways. While this means the site is not sustainable in transport terms, it is also accepted that the nature of the proposals typically occur in such locations. The LHA is satisfied for the Local Planning Authority to consider transport sustainability alongside its other sustainability considerations for the site.

As the application is outline, the submitted indicative site layout and matters such as the proposed numbers of parking spaces have not been reviewed or considered by the LHA in preparing this response.

Recommend conditions construction traffic management plan and footpath provided to connect site to village.

### 7.1.3 LCC Archaeology

- a) During preliminary works for the MMDR an archaeological geophysical survey and trial trench evaluation was undertaken with Iron Age and Roman remains being found. Therefore, due to the site's proximity to the MMDR archaeological remains relating to the Iron Age and Roman period will be impacted by the proposed development as a consequence, it is recommended that prior to the impact of development upon the identified heritage asset(s) the applicant must make arrangements for and implement an appropriate programme of archaeological investigation, involving an archaeological excavation of the application area. An archaeological excavation secured by condition is a proportionate form of mitigation for the impacts that the development will bring via destruction of the remains within the application area, as supported by the excavation prior to the development of the road adjacent to the site.
- b) The National Planning Policy Framework (NPPF), Section 16, paragraph 195 and Annex 2) requires the planning authority to consider the impact of the development upon any heritage assets, taking into account their particular archaeological and historic significance. Paragraph 205 states that where loss of the whole or a material part of the heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the affected resource prior to its loss.
- c) If planning permission is granted, the applicant should obtain a suitable written scheme of investigation (WSI) for the necessary archaeological programme.
- d) We therefore recommend that any planning permission be granted subject recommend planning conditions (informed by paragraph 37 of Historic England's Managing Significance in Decision-Taking in the Historic Environment GPA 2), to safeguard any important archaeological remains potentially present

### 7.1.4 LCC Ecology

- a) Given the revised location will not include an area which can be used for biodiversity enhancements, our recommended condition is changed as offsetting will be required.

- b) A Preliminary Ecological Appraisal has been submitted by Buckminster Management (June 2024) which is acceptable. No evidence of protected species was recorded and there is generally quite limited ecological value on site.
- c) I also have concerns regarding whether a good condition grassland can be achieved where 32 trees are proposed to be planted therefore this will need to be considered when discharging the biodiversity net gain plan.
- d) There is also not a buffer area shown between the private gardens and Hedgerow 1. Therefore, either a buffer area should be provided (whereby an external party can access the hedgerow to provide management) or it should be shown as lost in the metric. The condition of the hedgerow needs to be ensured for 30 years, therefore this cannot be guaranteed if it is formed as a garden boundary
- e) Given the extent of the land ownership I am confident that measurable biodiversity net gain can be achieved and therefore the amendments can be provided as part of the discharge of the condition.
- f) Recommend Biodiversity Enhancement and Management Plan condition and bird and bat boxes condition.

#### 7.1.5 **Environment Agency**

- a) The development falls within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site. There are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency.

#### 7.1.6 **MBC Conservation Officer**

- a) It is evident from the indicative masterplan that there are no conservation areas or designated heritage assets that will be directly or indirectly affected by the proposed urban extension. The site is sufficiently distanced from the setting of listed buildings in Thorpe Arnold and the indicative masterplan shows no undue harm that would be caused.
- b) Melton Borough Landscape and Historic Urban Character Assessment Report March 2006 was published in 2006 and updated in 2011 following further development in Melton. There is ridge and furrow on part of the allocated sites – it is regrettable that this important historical feature will be destroyed – but there is limited precedent for objecting on the grounds of loss of ridge and furrow – furthermore the site is allocated.
- c) The Historic Environment Record (HER) shows (above) the record MLE23669 ‘Possible Iron Age/Roman activity northeast of Thorpe Arnold’ this is the site of the allocated land THOR2. As such it will be important to ensure LCC Archaeology are consulted on the proposal.
- d) The indicative site plan shows a low-density scheme with detached dwellings. It is not considered if this site plan was implemented, that it would lead to harm to the setting of the listed buildings in Thorpe Arnold. The works are deemed acceptable at outline stage. When the application reaches reserved matters, further consideration will need to be given to the height / scale / form / massing of the new dwellings and other buildings, to ensure they are consistent with the urban grain of the village.
- e) In summary, there are no objections to the proposed outline indicative site masterplan.

#### 7.1.7 **MBC Environmental Health**



7.2 The potential impacts of noise, odours, and pests from active farm operations on future residents are well understood. I am satisfied that suitable mitigation measures can be required through planning conditions to address the potential impacts. The measures should be robust and proportionate to ensure compliance with the Local Plan Policy and the NPPF, thereby securing a high-quality residential environment while allowing the farm to continue its operations without undue constraint.

### 7.3 **Summary of Representations**

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

- a) No comments received

#### 7.3.2 **Parish Council**

- a) The Parish Council discussed this application at their meeting on Thursday 16th May and resolved that no further action was necessary at this time. One query was raised regarding the development phase in relation to allocated site THOR2. To clarify whether this would be a phased development in relation to THOR1 as well.

#### 7.3.3 **Neighbours**

7.3.4 19 objections have been received from 16 households as summarised below:

- a) Proposed development would impact upon existing farming business at the site, including the New Cottages which form part of the farm tenancy agreement.
- b) The development would squash 9 houses into a small area of prime farm land
- c) The proposed development is out of character with the area and village, specifically as the site forms part of the approach to the village.
- d) Concerns over layout and plot sizes and external space.
- e) Concerns raised over the impact to residential amenities of the existing farm cottages to the south-west of the site.
- f) Concerns over the development impact on highway safety, access for vehicle and pedestrian movements especially in connection to the MMDR
- g) Impact of noise from increased traffic movement and MMDR.
- h) Concerns with proposed footpath and interaction with farm traffic and existing layby
- i) Concerns of the impact of the view for residents.
- j) The development does not account for the lack of amenities e.g. no school, no shops, no pub, poor public transport and very overloaded local health services, primary and secondary schools
- k) Concerns over housing types and mix
- l) Concerns over increased risk of flooding and impact upon existing sewage system, with blockages etc. and the development placing more strain on the system.
- m) Concern over the developments Street lighting and light pollution
- n) The nature of the grassland and the management of the hedgerows and trees within the site is considered to be down to the husbandry and tenure of the agricultural tenant. BNG is not the applicant's to offer.
- o) BNG calculations have not be calculated correctly

- p) The proposed development is downwind of the existing farmyard to the north-west of the site, residents of the new properties by living in close proximity to livestock with the associated health hazards of flies, smells and noise

## **7.4 Response to Consultations and Representations**

- 7.4.1 There are no technical objections to the proposal. No objections are raised by any statutory consultees subject to conditions.
- 7.4.2 Concerns in relation to existing agricultural tenancy agreement are discussed in the planning analysis below within section 8.2 and 8.3. For clarification, the applicant has demonstrated that notice was served on the tenant in accordance with the planning requirements. Therefore, the planning requirements have been met and procedurally the application is compliant.
- 7.4.3 Concerns relating to the design, scale and layout of the scheme and the impact of the proposal on the character of the area are discussed in the planning analysis below within section 8.7. For clarification it is considered that this would be a low density scheme given the number of dwellings proposed, however matters of layout, scale, appearance and landscaping of the scheme would ultimately be in the control of the Local Planning Authority at reserved matters stage, if this application is permitted.
- 7.4.4 Concerns relating to highway and pedestrian safety are discussed in the planning analysis below within section 8.4. It considered that the indicative proposed access would be acceptable as agreed by the Local Highway Authority.
- 7.4.5 Concerns relating to biodiversity are discussed in the planning analysis below within section 8.6.
- 7.4.6 Concerns relating to residential amenity are discussed in the planning analysis below within section 8.5.
- 7.4.7 Concerns raised in regard to housing mix and housing types are discussed with the planning analysis below with section 8.3.10.
- 7.4.8 Concerns raised in regard to infrastructure are discussed with the planning analysis below with section 8.3.11.
- 7.4.9 Concerns raised in regard to light pollution and the proposals impact upon the landscape are discussed in the planning analysis below within section 8.8.
- 7.4.10 Concerns relating to flooding and drainage is discussed in the planning analysis below within section 8.9.
- 7.4.11 Concerns in relation to the development disrupting residents view are no a material planning consideration, there is no right to a view.
- 7.4.12 Concerns raised in regard to pollution from the existing farm complex are discussed in the planning analysis below within section 8.5.5.

## **8 Planning Analysis**

### **8.1 Main Considerations**

- Procedural Matters
- Principle of Development
- Highways

- Impact on residential amenity
- Ecology
- Design
- Landscape
- Flooding and Drainage
- Heritage

## 8.2 Procedural Matters

8.2.1 Concerns have been raised in regard to agricultural tenancy agreement that is currently present on the site, that the development would remove land from the tenancy and impact the tenant's agricultural business. The applicant has demonstrated that notice was served on the tenant in accordance with the planning requirements. Therefore, the planning requirements have been met and procedurally the application is compliant.

## 8.3 Principle of Development

8.3.1 Planning law states that planning decisions must be made in accordance with the development plan unless there are material considerations which indicate otherwise (Section 70(2) Town and Country Planning Act 1990 & section 38(6) of the Planning and Compulsory Purchase Act 2004).

8.3.2 The Melton Local Plan (MLP) forms the key part of the development plan and was adopted on 10th October 2018 and has full weight in decision making. The Waltham on the Wolds & Thorpe Arnold Neighbourhood Plan (W&TANP) was 'made' 6th June 2018 and also forms part of the development plan.

8.3.3 The National Planning Policy Framework (NPPF) and the associated National Planning Policy Guidance (NPPG) are very important material considerations that carry great weight and also contain policies and advice and guidance to the decision maker.

8.3.4 The site is located within Thorpe Arnold. Policies SS1 and SS2 of the Melton Local Plan apply which reflect the presumption in favour of sustainable development within the NPPF and confirm the Development Strategy for the Borough.

8.3.5 Policy C1 (A) of the MLP allocates the site within residential allocation THOR2 for a capacity of 11 dwellings. The proposal seeks outline permission for 9 dwellings which is below the capacity.

8.3.6 Policy S1 of the W&TANP states that development proposals within the Neighbourhood Plan area will be supported on sites within the Limits to Development in the case of residential development. The site is located within the limits to development.

8.3.7 In addition, the site allocation of THOR2 is as follows;

*Policy THOR2: Development of the site reference THOR2 will be supported provided:*

- *Footways are provided to ensure a safe pedestrian access from the development into the village;*
- *a comprehensive landscape scheme, providing substantial boundary landscaping and screening to mitigate impacts of the development when viewed from the open countryside, is provided;*

- *biodiversity enhancements are provided within the site to mitigate any loss of habitat as a result of loss of hedgerows/trees;*
- *local educational capacity is available, or can be created through developer contributions, to meet the needs of the site.*

8.3.8 Taking each of the points in turn, as stated within section 8.4 of the report a condition would be placed on the permission (if granted) requiring the construction of a footway to provide pedestrian access into the village, therefore this criteria is considered to be met. Landscaping would be considered at the reserved matters stage. As stated within 8.6 of the report measurable biodiversity net gain would be secured via condition through the submission of a biodiversity management plan. Finally, as detailed within 8.3.10 of the report, the application is a 'minor' application and therefore does not meet the threshold for developer contributions to be secured. Therefore, this part of the criteria of the policy is not applicable for this proposal.

8.3.9 Concerns have been raised by local residents as to the impact the development would have on the existing farming business, and that the site should not be changed to residential development from agricultural land. This site is located within the limits to the development as set out by Policy S1 of the NP, in addition the site is allocated for residential housing within the MLP. Although it is acknowledged that the land is currently being used for farming purposes it is considered that the proposed change of use of the land from agricultural to residential is acceptable given the policy requirements. In addition, as set out within 8.2.1 the agricultural tenant has been given notice of the proposal.

8.3.10 Concerns have been raised relating to the housing mix and house types proposed. No details have been submitted in respect of the housing mix, therefore a condition is recommended at 10.14 which requires the submission of the housing mix for the development. Once this information is submitted Policy H2 of the neighbourhood plan will be required to be complied with.

8.3.11 Concerns have also been raised in regard to the lack of infrastructure, as stated within 8.3.5. The proposal is an outline application for 9 dwellings meaning it is considered to be a minor application where contributions towards infrastructure such as healthcare and education are not applicable. In addition, the site was allocated for 11 dwellings within the MLP therefore, it is considered that the existing infrastructure is suitable for 9 dwellings proposed in this location.

8.3.12 Consequently, the proposed development would accord with Melton Local Plan Policies SS1, SS2 and C1 (A) and the Waltham on the Wolds & Thorpe Arnold Neighbourhood Plan Policies S1 and H1, and the aims of the NPPF 2024. The principle of development is considered acceptable subject to the material considerations detailed below.

## 8.4 Highways

8.4.1 The development is in outline form with access and layout matters reserved for future consideration. A basic indicative layout has been submitted which illustrates a potential access to the southern corner of the site off Waltham Road. However, during the course of the application, the planning officer requested additional information on the proposed access to ensure that this was attainable and deliverable specifically following concerns raised by the Parish Council and local residents. Additional plans have been provided to demonstrate the proposed access can be provided, with final details being submitted as part of a future reserved matters application.

- 8.4.2 During the course of the application the redline boundary of the proposed development was amended to ensure that the proposed access was fully within it or within Local Highway Authority (LHA) land, following concerns raised by the planning officer and the LHA.
- 8.4.3 Concerns have been raised by local residents in regard to impact of the development on traffic congestion and car movements. The LHA have stated that the proposed access and visibility splays appear to be safe and suitable and should be achievable upon submission of supporting information and an appropriate access design as part of a future reserved matters application, should planning consent be granted. The LHA have not requested trip generation data to be submitted due to the minor nature of the development. Therefore, the development would not lead to an unacceptable amount of traffic entering the highway.
- 8.4.4 Concerns were raised by local residents in regard to pedestrian access into Thorpe Arnold. The LHA have acknowledged the lack of pedestrian access between the site and services provided within the village. The LHA have recommended a condition to secure the provision of a pedestrian connectivity link between the site and the village in a south-westerly direction. This will need to be supported by a Stage 1 Road Safety Audit and accompanying Designers Response. If this includes the provision of a pedestrian crossing this will need to be designed in line with Traffic Signs Manual Chapter 6. A condition is recommended at 10.7 of the report requiring the provision of a suitable footway to the site from the village of Thorpe Arnold and its implementation prior to occupation. This will ensure compliance with Policy C1 (A) of the Melton Local Plan and specifically Appendix 1 of the site allocation.
- 8.4.5 The internal layout the proposed development including off-street parking, garages, and turning facilities will be dealt with at the reserved matters stage if this application is permitted. The LHA have stated that the internal layout should be designed in accordance with the Leicestershire Highways Design Guide.
- 8.4.6 It should be noted that the development is within 200m of a bus stop which provides a public transport service to Melton Mowbray and Grantham. There are currently no footways from the site access to the bus stops in Thorpe Arnold, however this situation would be improved through the submission of details of the proposed pedestrian access as detailed in 8.4.4. In addition, as the site is an allocated site within the Local Plan it is considered there is an acceptable degree of sustainable transport for the site to be accessed.
- 8.4.7 The LHA have recommended a series of conditions be placed on the decision if permitted these are considered reasonable and necessary and detailed in section 10 of the report.
- 8.4.8 Overall, it is considered that the proposal is acceptable in terms of highway safety and parking subject to the recommended conditions and would be in accordance with Policies D1 and IN2 of the Melton Local Plan, Policies H6, H8 and T1 of the Waltham and Thorpe Arnold Neighbourhood Plan, the overall aims of the NPPF.

## 8.5 **Impact on residential amenity**

- 8.5.1 The development is in outline form with design and layout matters reserved for future consideration. A basic indicative layout has been submitted which illustrates how the layout of the 9 dwellings and associated garages could be positioned within the site.
- 8.5.2 There are two existing neighbouring properties to the site, 1 and 2 New Cottages which are located to the south-west of the site. No.2 would be in close proximity to the entrance of the site and the site boundary. However, given that the access road would run along the boundary between No.2 and the site it is considered that the impact of overlooking, overbearing and loss of light would be minimal. It is acknowledged that Plot 1, on the

indicative site plan, is in close proximity to the boundary however this is an indicative position, and layout and design may be subject to change. Careful design of 1<sup>st</sup> floor windows as part of a reserved matters application would reduce the impact of Plot 1 upon the residential amenity of 2 New Cottages.

- 8.5.3 Concerns have been raised by local residents in regard to the noise impact from traffic generated by the development. It is considered that due to the existing high volume of traffic movement along Waltham Road the impact of 9 additional dwellings and associated vehicle movements would not be significant. Therefore, the additional vehicular movements are not considered to be impactful to such an extent to warrant refusal of the application.
- 8.5.4 Concerns have been raised by local residents in regard to the proximity of the development to a working livestock farm to the north-west of the site, specifically that future occupiers of the development may be impacted by noise, odours and pests. The proposed development is set back around 40m from the main cattle sheds within the farm complex.
- 8.5.5 Paragraph 200 of the NPPF states 'Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed'. Therefore, it is considered necessary and reasonable for a condition to be placed on any permission, requiring details to be submitted of measures to reduce the impact for future occupiers of the development. This has been agreed by the Environmental Health Officer, who is satisfied that suitable mitigation measures can be implemented on the site through the use of the condition. The details submitted would be assessed and analysed by the Environmental Health Officers to ensure they are sufficient in reducing the impact of potential noise and odour from the adjacent farmyard to an acceptable level. This would also ensure the development would be in accordance with Policy C9 of the Local Plan which states that developments should make a positive contribution to health and well-being, specifically high-quality residential amenity.
- 8.5.6 As explained above the layout, scale and appearance of the dwellings being proposed would need to be assessed in detail through a future reserved matters submission. On balance, and in so far as can be assessed at the outline stage, it is considered that a development involving 9 properties could be developed on the site that would satisfy the requirements of Policies D1 and C9 of the Melton Local Plan, Policies H6 & H8 of the Waltham and Thorpe Arnold Neighbourhood Plan, the overall aims of the NPPF in respect of amenity impacts.

## 8.6 Ecology

- 8.6.1 The existing site is an agricultural field with a number of trees and hedgerows within the redline boundary. A Preliminary Ecological Appraisal was submitted by the applicant and has been assessed by LCC Ecology. They have concluded that the appraisal is acceptable, and have stated that there was no evidence of protected species recorded and there is generally quite limited ecological value on site.
- 8.6.2 The mandatory Biodiversity Net Gain requirements of 10% net gain are not applicable for this application as the application was submitted before the 2<sup>nd</sup> April 2024. In addition, the BNG requirements are not applicable for reserved matters applications as set out in the planning practice guidance.

- 8.6.3 However, paragraph 193 of the NPPF states that new developments should seek to secure measurable net gains for biodiversity, which is reflected in policies EN2 of the Local Plan and ENV9 of the Neighbourhood Plan. Therefore, further details are required to be submitted to demonstrate this net gain.
- 8.6.4 Concerns were raised by LCC Ecology in regard to the whether good condition grassland can be achieved within the development and also buffer area between the private garden and existing hedgerows. Concerns were also raised by local residents over the details provided within the submitted BNG metric and over the management of the existing land. As the development is in outline stage and the design of the layout are reserved for future consideration, these concerns will be required to be dealt with at that stage as this will depend on the layout and proposed landscaping of the scheme.
- 8.6.5 However, LCC Ecology have recommended a condition to secure biodiversity enhancements on site. Detailed discussions have occurred between the applicant and LCC Ecology in regard to the recommended condition. An agreement between both parties have been reached on the recommended condition outlined at 10.9 in the report. This condition would require the submission of a Biodiversity Management Plan including the submission of the BNG metric to demonstrate the net gain, it would also detail the enhancements proposed on and off site and how these would be managed. Through the submission of this Biodiversity Management Plan the concerns raised by LCC Ecology and the local residents can be dealt with appropriately.
- 8.6.6 In addition, LCC Ecology have also recommended that a secondary condition is placed on any consent requiring the submission of details of the bird boxes and bat boxes to be integrated within the new buildings. This would further enhance the biodiversity habitats within the proposed site and therefore is considered acceptable.
- 8.6.7 On the basis of the above assessment and subject to the recommend condition it is considered that the proposed development would be unlikely to impact negatively upon matters of ecological interest and would provide a biodiversity net gain. The proposal is therefore considered to accord with Policies D1 and EN2 of the Melton Local Plan, Policies H6, H8 and ENV9 of the Waltham and Thorpe Arnold Neighbourhood Plan, the overall aims of the NPPF 2024 in respect of the potential impacts of the proposal on protected species and their habitat and biodiversity net gain.

## 8.7 Design

- 8.7.1 Policy D1 of the Local Plan seeks to raise the standard of design from new developments, and it states that, amongst other things, siting and layout must be sympathetic to the character of the area. It also requires buildings and development to respect the local vernacular without stifling innovative design. Policy H6 of the Neighbourhood Plan seeks to ensure new developments have a high-quality design, form and layout consistent with the special character of the Parish.
- 8.7.2 The application seeks outline permission only, therefore all design aspects relating to the layout, scale, appearance and landscaping of the proposed development are reserved for future consideration. However, an indicative site layout plan has been submitted with the application to demonstrate how the site could be developed.
- 8.7.3 Currently the indicative plans show 9 dwellings with a mix of detached and semi-detached dwellings of modest size and with an acceptable amount of amenity space. In addition, as

shown on the site plan the majority of dwellings would have detached garage, within their curtilage.

- 8.7.4 The indicative layout of the development is considered not to cause a significant impact on the character of the area and specifically as a gateway to Thorpe Arnold as detailed by Policy EN6 of the Local Plan. The density of the indicative layout provides for a development that is at an appropriate density with suitable amenity space which is considered acceptable. It would include considerable private amenity space and include elements of landscaping.
- 8.7.5 Design details will be submitted as part of a reserved matters stage of the application, where a more detailed assessment of the design of the development would be undertaken, including the materials, layout and elevations. In addition, a condition is recommended for all external materials and boundary treatments to be submitted for approval to ensure the Local Planning Authority retain control over the design of the development and its impact on the character of the area.
- 8.7.6 It is considered that the site could be developed in the form being suggested without resulting in a sense of overdevelopment and without adversely impacting the visual amenity of the area within which the site is located. This being the case, the proposal satisfies the objectives of Policy D1 and EN6 of the Local Plan and Policy H6 of the Neighbourhood Plan so far as can be assessed at the outline application stage. The detailed design of the scheme would be approved by the Local Planning Authority at reserved matters stage, should this application be permitted.

## 8.8 **Landscape**

- 8.8.1 Concerns were raised by a number of residents in regard to the impact the development would have on the open countryside. It is acknowledged that the site is located on the edge of Thorpe Arnold, within the limits to development as detailed within 8.3.6 and is an allocated site. Although the site is not within the central built form of Thorpe Arnold, Policy S1 encourages development within the limits to development, therefore the impact upon the landscape is not considered to be afforded a significant amount of weight in this circumstance.
- 8.8.2 In addition, directly to the north of the site will be the MMDR which will impact the landscape to the north of Thorpe Arnold. It is considered that the proposal for a modest number of dwellings in a reasonable size site, adjacent to two existing properties (South) and farm buildings (West) would not be unduly prominent or adversely impact the character of the landscape.
- 8.8.3 It is acknowledged that there is a public footpath to the east of the site which would increase the public visibility of the site, however given the reasons detailed above the impact is considered not to be unduly significant.
- 8.8.4 Policy ENV12 of the Neighbourhood Plan states that development proposals should respect the open views and vistas. Viewpoint E would be looking towards the development site, therefore at the reserved matter stage consideration should be given to the layout and landscaping of the site to reduce the impact of this viewpoint. It should be noted that the MMDR roundabout would also be within this viewpoint therefore, the impact from the development on the viewpoint would not be to such an extent to warrant refusing the proposal on these grounds.
- 8.8.5 The site would be at the gateway to Thorpe Arnold, therefore as per the criteria of Policy EN6 of the MLP at the reserved matters stage the design, layout and landscaping of the site



will need to ensure that the development does not significantly impact this gateway. However, at this stage specific comments are unable to be made as only the principle is being dealt with at this outline stage.

8.8.6 Concerns have been raised over the potential impact of light pollution on the landscape from the development; lighting details would be considered at the reserved matters stage. However, given the proximity of the site to the MMDR Roundabout 6 which would see the addition of street lighting, the impact of the proposed development is considered to be negligible in comparison.

8.8.7 Therefore the proposal so far as can be assessed at the outline application stage, with the detailed design of the scheme ultimately being in the control of the Local Planning Authority at reserved matters stage, would not adversely impact upon the landscape and is in accordance with Policies EN1, EN6 and D1 of the Melton Local Plan, Policies ENV12 of the Waltham and Thorpe Arnold Neighbourhood Plan and the aims of the NPPF 2024.

## 8.9 **Flooding and Drainage**

8.9.1 Although concerns have been raised by local residents of the impact of flooding from the proposed development, the application site is located entirely within Flood Zone 1 and is therefore at a low risk of fluvial flooding. This has been confirmed by the Environment Agency. It is also noted that the site is at low risk of surface water flooding. Due to the scale of the development being minor and less than the allocated 11 dwellings it is considered there would be minimal impact in terms of risk of flooding at the site and elsewhere in the wider area.

8.9.2 Concerns are raised in regard to the existing drainage system capacity and the proposed development using this system. The outline application has not provided details of proposed drainage scheme for both surface and foul water which would be conditioned to be submitted prior to commencement of the development to ensure the development would not cause an unacceptable impact upon the existing drainage scheme and flooding. It is recommended that the applicant utilises sustainable drainage systems (SuDS) as part of their proposed development to ensure compliance with Policy EN12 of the Melton Local Plan.

8.9.3 Subject to a condition requiring the submission and approval of detailed foul and surface water drainage arrangements before development commences, the proposal would accord with the NPPF 2024 and Policy EN11 & EN12 of the Melton Local Plan in respect of flood risk and drainage considerations.

## 8.10 **Heritage**

8.10.1 The site is not located within a designated conservation area nor does the site contain or abut any designated heritage asset. The site is located in an area of ridge and furrow as detailed by ENV11 of the Neighbourhood Plan which is stated as 'faint partly ploughed on'. Therefore, is not considered to be classified as a non-designated heritage asset as detailed by the policy and is not considered to be of high historical significance as per paragraph 208. Although it is regrettable that this historical feature will be lost as part of the proposal, due to its current condition, the site being allocated and not all of the field would be developed, it would not warrant refusing the application based on this reason. This is agreed by the Conservation Officer.

8.10.2 The closest listed buildings to the site would be ~130m (Wold House) and ~240m (St Mary's Church) away. At this outline stage consideration of any potential impact on the setting of

these listed buildings is limited given that the layout, materials and scale are reserved for future consideration. However, the Conservation Officer has stated that the indicative site plan shows a low-density scheme with detached dwellings and if this scheme was to be implemented, it would not lead to harm to the setting of the listed buildings in Thorpe Arnold.

- 8.10.3 The Historic Environment Record shows the record MLE23669 'Possible Iron Age/Roman activity north-east of Thorpe Arnold' which is where the proposed site is located. LCC Archaeology were consulted on the application to gain their expertise on this matter. They have stated that during the preliminary works for the MMDR (located north-east of the site) an archaeological geophysical survey and trial trench evaluation was undertaken with Iron Age and Roman remains being found. Due to the site's proximity to the MMDR, there is a high potential for archaeological remains relating to the Iron Age and Roman period to continue within the red line boundary. This cannot be 100% known until it is fully excavated, therefore the proposal may have an impact upon archaeology remains.
- 8.10.4 Archaeological features are deemed to be non-designated heritage assets paragraph 216 of the NPPF states that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 8.10.5 Following a significant amount of discussion between the applicant and LCC Archaeology it has been agreed that the submission of a written scheme of investigation (WSI) for the necessary archaeological programme would be submitted prior to the commencement of development. This will require the applicant to implement an appropriate programme of archaeological investigation involving an archaeological excavation of the site. It also enables a proportionate form of mitigation for the impacts that the development will bring to the remains. Therefore, it is considered that the harm caused by the development on the non-designated heritage assets could be balanced through the mitigation via the WSI. In addition this site is an allocated site for housing which gives greater weight to the proposed development.
- 8.10.6 Paragraph 218 states that where loss of the whole or a material part of the heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the affected resource prior to its loss. The WSI would enable this recording to occur and shall be submitted to the local planning authority to be registered on the Historic Environment Record.
- 8.10.7 LCC Archaeology have raised no objections to the proposal subject to the recommended condition requiring the submission of the WSI.
- 8.10.8 Therefore it is considered that subject to the proposed conditions requiring the submission and approval a WSI before development commences and the limited consideration of the layout, scale and appearance of the development in relation to the setting of listing building, the proposal would accord with chapter 16 of NPPF 2024 and Policy EN13 of the Melton Local Plan and Policy ENV11 of the Waltham on the Wolds & Thorpe Arnold Neighbourhood Plan in respect of heritage considerations.

## **9 Conclusion & Reason for Recommendation**

- 9.1 The application site is within the THOR2 allocated site as allocated by the Melton Local Plan and Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan. Therefore, it is considered that the principle of housing in this location is acceptable and is in accordance with Policies SS1, SS2 and C1 (A) of the Local Plan and Policies S1 and H1 of the Neighbourhood Plan and the aims of the NPPF 2024.

- 9.2 Based on the indicative information submitted with the application it has been satisfactorily demonstrated that the site can be developed in the form suggested without resulting in a sense of overdevelopment, adversely impacting the visual amenity of the area and landscape, or negatively impacting on neighbouring residential amenity to an extent that would justify refusing planning consent. Therefore, the proposal satisfies the objectives of Policies D1, EN1 and EN6 of the Local Plan and Policies H1, H6, ENV12, of Neighbourhood Plan so far as can be assessed at the outline application stage with the detailed design of the scheme and its resultant impacts ultimately being in the control of the Local Planning Authority at reserved matters stage.
- 9.3 Based on the indicative information submitted with the application it has been satisfactorily demonstrated that the site can be developed in the form being suggested without resulting in undue impact upon highway safety and access, ecology, flooding and drainage and heritage subject to the recommended conditions detailed within the section 10 of the report. Therefore, the proposal satisfies the objectives of Policies C1 (A) D1, EN2, EN11, EN13, IN2 of the Local Plan and Policies H6, ENV9, ENV11, ENV13 and T1 of the Neighbourhood Plan so far as can be assessed at the outline application stage with the detailed design, layout and landscaping of the scheme and its resultant impacts ultimately being in the control of the Local Planning Authority at reserved matters stage.
- 9.4 In principle this application solely seeks consent as to the acceptability of the principle of housing in this location. As set out in the report, officers are of the opinion that the principle of housing on this site is acceptable. All other matters are reserved including access, design, layout, landscaping, therefore limited to no consideration can be given to these matters at this stage of the application.
- 9.5 It should also be noted that there are no objections from statutory consultees.
- 9.6 Therefore, given the above the proposed development therefore accords with the Development Plan for the area, comprising the Melton Local Plan, Waltham & Thorpe Arnold Neighbourhood Plan and the National Planning Policy Framework (2024) and the application is recommended for approval subject to the condition detailed within section 10 of the report.

## 10 Planning Conditions

- 10.1 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.

**Reason:** To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended)

- 10.2 Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

**Reason:** To ensure a satisfactory appearance and impact of the development in accordance with Policies SS1 and D1 of the Melton Local Plan.

- 10.3 This permission relates to the approved Location Plan (07653-FPCR-XX-XX-DR-A-0001 - P04) received by the Local Plan Authority on 8th October 2024.

**Reason:** For the avoidance of doubt and to ensure an acceptable form of sustainable development and to be in accordance with Policies SS1, SS2, C1(A) and D1 of the Melton Local Plan and Policies S1, H1, H6 of the Waltham on the Wolds & Thorpe Arnold Neighbourhood Plan.

- 10.4 The details of the reserved matters submitted pursuant to this permission shall be carried out in broad accordance with the following plans and documents:

Application Form – Received 13.03.2024

Planning Statement – Received 13.03.2024

Development Vision – Received 17.06.2024

Sketch Layout Option B 07653-FPCR-XX-XX-DR-A-0003 - P04 – Received 08.10.2024

Sketch Layout: Option B (Visibility Splay Overlay) 07653-FPCR-XX-XX-DR-A-0007 – Received 08.10.2024

Preliminary Ecological Appraisal - Received 17.06.2024

Highways Matters Report – Received 02.07.2024

**Reason:** For the avoidance of doubt and to ensure an acceptable form of sustainable development and in accordance with Policies SS1, SS2, C1(A), EN1, IN2 and D1 of the Melton Local Plan and Policies S1, H1, H6 of the Waltham on the Wolds & Thorpe Arnold Neighbourhood Plan.

- 10.5 No development shall commence until such time as the existing and proposed ground levels within the site and proposed finished floor levels have been submitted to and approved in writing by the Local Planning Authority. The approved ground levels and finished floor levels shall then be implemented in accordance with the approved details, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure that the development has a satisfactory appearance in the interests of visual amenity and does not impact upon the character of the area and landscape in accordance with Policies D1, EN1 and EN6 of the Melton Local Plan and Policies H1, H6, ENV12 of the Waltham on the Wolds & Thorpe Arnold Neighbourhood Plan.

- 10.6 No development shall commence on the site until such time as a construction traffic management plan, including as a minimum detail of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

- 10.7 The development hereby permitted shall not be occupied until such time as a suitable footway (and if necessary a pedestrian crossing point) has been provided to ensure suitable and safe pedestrian connectivity to the site from the village of Thorpe Arnold, in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

**Reason:** To mitigate the impact of the development, to promote sustainable modes of travel and to provide pedestrian access in the general interests of highway safety and in

accordance with Policy C1(a), D1, C9 and IN2 of the Melton Local Plan and Policies the NPPF 2024.

- 10.8 Prior to the commencement of the development full details of the tree protection measures for all trees and hedges within and adjacent to the development site shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be set out in a detailed Arboricultural Method Statement to include the specification of the location and type of protective fencing, the timings for the erection and removal of the protective fencing, the details of any hard surfacing and underground services proposed within the root protection areas including any bespoke engineering to reduce the impact to those affected trees. The Statement shall be in accordance with the British Standard for Trees in Relation to Construction 5837: 2012. All tree protection measures shall thereafter be carried out in accordance with the approved Arboricultural Method Statement.

**Reason:** To ensure that existing trees are adequately protected during construction in the interests of the visual amenities and biodiversity of the area in accordance with Policies D1 and EN2 of the Melton Local Plan and Policies H6 and ENV9 of Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan and the aims of the NPPF 2024.

- 10.9 Prior to the commencement of the development (including ground works or vegetation clearance), a Biodiversity Management Plan (BMP) shall be submitted to and approved in writing by the Local Planning Authority. The BMP is to provide details of how a measurable biodiversity net gain will be achieved in connection with the development when assessed against the assessed baseline condition for the Site (assessed in accordance with the Small Sites Metric (Biodiversity Metric 4.0)) set out at Appendix C to the Preliminary Ecological Appraisal dated June 2024 (prepared by Buckminster Management Ltd.), and the plan shall include:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat;
- b) the post-development biodiversity value of the onsite habitat (assessed in accordance with the Small Sites Metric (Biodiversity Metric 4.0));
- c) details of any planned habitat creation and/or enhancement works to create or improve any onsite habitat proposed to achieve all or part of the required biodiversity net gain;
- d) details of any offsite habitat secured in connection with, or allocated to, the development and the biodiversity value of that gain in relation to the development including confirmation as to how this habitat has been secured for a minimum of thirty years from the date of its creation;
- e) in the case of any onsite habitat creation and/or enhancement works, details of the proposed management of any such works including details of monitoring at years 1, 5, 15 and 30 following the completion of the development; and
- f) in the case of any onsite habitat creation and/or enhancement works, details of their retention for a period of 30 (thirty) years from the completion of the development.

The approved BMP shall be implemented as approved or in accordance with any amendments agreed in writing by the Local Planning Authority.

**Reason:** To ensure that biodiversity enhancements are secured on site in accordance with Policies D1 and EN2 of the Melton Local Plan and Policy ENV9 of the Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan and the aims of the NPPF 2024.

10.10 No development shall take place until details of the bird boxes and bat boxes to be integrated within the new buildings has been submitted to and approved in writing by the LPA. Details should include type of boxes and box positioning. Any boxes need to be shown on all relevant submitted plans/elevations. All works are to proceed strictly in accordance with the approved scheme, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure that biodiversity enhancements are secured on site in accordance with Policies D1 and EN2 of the Melton Local Plan and Policies H6 and ENV9 of Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan and the aims of the NPPF 2024.

10.11 No development shall commence until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land within the development site that is included within the WSI, no development shall take place other than in accordance with the agreed WSI (or any amendments to the agreed WSI agreed in writing by the local planning authority), which shall include the statement of significance and research objectives, and

- a) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

**Reason:** To ensure satisfactory archaeological investigation and recording in accordance with Chapter 16 of the National Planning Policy framework and in accordance with Policy EN13 of the Melton Local Plan.

10.12 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 in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved details before the development is first brought into use, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water in accordance with Policy EN11 of the Melton Local Plan and the aims of the NPPF 2024.

10.13 The development hereby permitted shall not commence until details demonstrating the measures to be implemented to reduce the impact of odour and noise from the adjacent farm yard (known as Wold House Farm) on future occupiers of the approved development have been submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the first dwelling of the approved development.

**Reason:** To ensure that the development has a high level of residential amenity for future occupiers in accordance with Policy C9 of the Melton Local Plan and paragraph 200 of the NPPF 2024.

10.14 Details of the housing mix shall be submitted as part of the first reserved matters application. The development shall then be implemented in accordance with the approved details, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure that the housing mix reflects that needed and to ensure the development is in accordance with Policy H2 of the Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan and the aims of the NPPF 2024.

- 10.15 No development above damp-proof course (DPC) shall commence until all external materials and site boundary treatments to be used in the development have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure a satisfactory external appearance to the development in accordance with Policies D1 and EN6 of the Melton Local Plan and Policy H6 of the Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan and the aims of the NPPF 2024.

- 10.16 Following any approval of reserved matters submissions, the approved landscaping 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.

**Reason:** To ensure that landscaping to be submitted and approved is provided prior to first occupation of dwellings in that phase and to provide a reasonable period for the replacement of any planting in accordance with Policies D1 and EN2 of the Melton Local Plan and Policies H6 and ENV9 of Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan and the aims of the NPPF 2024.

- 10.17 A Landscape Management Plan, including a maintenance schedule, including proposals for the long term management of landscaped areas shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development. The management of the site will then be carried out in strict accordance with the approved Landscape Management Plan, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscaped areas in accordance with Policies D1, and EN1 of the Melton Local Plan and Policy H6 of Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan and the aims of the NPPF 2024.

### **Informatives**

- 10.18 Please be advised that you may require Building Regulations approval. Please contact Building Control either via the online enquiry form found at [www.melton.gov.uk/homepage/71/building\\_control](http://www.melton.gov.uk/homepage/71/building_control) or by email [buildingcontrol@melton.gov.uk](mailto:buildingcontrol@melton.gov.uk) or by telephone; 01664 502369.

- 10.19 This decision has been reached taking into account the requirements of paragraph 39 of the National Planning Policy Framework 2024 in approaching decisions on proposed development in a positive and creative way. The Local Planning Authority has endeavoured to use the full range of planning tools available to work proactively with applicants to secure developments that will improve the economic, social, and environmental conditions of the area seeking to approve applications for sustainable development where possible.

- 10.20 Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from LCC as LHA. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the LHDG which is available at <https://resources.leicestershire.gov.uk/lhdg>.
- 10.21 The Applicant is advised that it is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore the Applicant should take every effort to prevent this occurring.
- 10.22 Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore all removal of trees/shrubs/hedges should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
- 10.23 The WSI should comply with the above mentioned Brief and with relevant Chartered Institute for Archaeologists' (CIfA) "Standards" and "Code of Practice". It should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development. The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.
- 10.24 The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.

## **11 Financial Implications**

- 11.1 There are no financial implications associated with this planning application.

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

## **12 Legal and Governance Implications**

- 12.1 The legal implications are largely set out in the report as they apply to the issues covered, and legal advisors will also be present at the meeting.

**Legal Implications reviewed by: Deputy Monitoring Officer**

## **13 Background Papers**

- 13.1 N/A