

The application was deferred from the meeting of 24th May in order to accommodate a further site visit. The applicant has responded to concerns raised regarding contamination and investigation/remediation as follows:

Ground Investigation

GRM carried out a preliminary intrusive investigation in July 2008. A total of ten window sample holes (WS1-WS6 and WS16-WS19) were drilled to a maximum depth of 5 metres below existing ground level. The distribution of the exploratory holes was based upon on a 30m grid to provide sufficient cover across the development area and accords with BS 5930:1999 'Code of practice for ground investigations' revised 2015 and DEFRA/EA CLR4:1994 'Sampling Strategies for contaminated land' revised to BS10175:2011 'Investigation of potentially contaminated sites – Code of practice'.

Six holes were installed with gas/groundwater monitoring standpipes for continued monitoring (plan supplied) Made ground materials were found to comprise brown silty sandy clay with ash, sandstone, limestone, clinker, brick, and concrete with rare wood, plastic and metal fragments to depths proven between 3m and in excess of 5.4m. The made ground materials recovered were representative of the types of wastes accepted at the landfill. Materials suspected to contain asbestos were not identified.

The natural strata recorded beneath the made ground comprised sandy clay and silty clayey sand.

Sampling Strategy

There is no evidence to suggest that the centre of the site was the most likely to be contaminated, as the sampling indicates the material is similar across the site. The site has been investigated on a 50m grid, which is in line with current best practice and whilst a hole may not have been placed at the geographic centre of the site there are holes within 15m.

Soils Analysis and Risk Assessment

Soil samples were taken from six locations across the whole site area and sent for chemical analysis at a UKAS and MCERTS accredited laboratory. The results indicated the made ground to be contaminated with arsenic and polyaromatic hydrocarbons (PAHs) at concentrations considered to pose a risk to end-users (i.e. property owners or maintenance workers). Remedial measures were recommended should development go ahead.

Based on the above identified risks, the use of a 600mm cover layer to separate the end user from the contamination is proposed. The use of such cover systems is a form of remediation which is accepted by Local Authorities across the UK in the development of brownfield sites. However, due to changes and revisions to standards and guidance, the chemical results have also been compared against the current assessment criteria for a residential end-use with plant-uptake and **all contaminants are below current thresholds and do not pose a risk to end-users.**

Ground Gas

The gas and groundwater monitoring confirmed that the land-fill type materials are a potential source of ground gas, specifically carbon dioxide and methane which were recorded at maximum concentrations of 6.1% by volume and 5.1% respectively. In accordance with CIRIA C665 (2007) revised as BS8485:2015 'Code of practice for the design of protective measures from methane and carbon dioxide ground gases for new buildings', the site has been assessed as moderate risk (Characteristic Situation 3) from ground gases and remedial measures were recommended should development proceed.

It is recommended that sub-floor ventilation and a suitable gas resistant membrane is built into the construction of the proposed properties to prevent home owners from being exposed in accordance with the BS8485:2015 'Code of practice for the design of protective measures from methane and carbon dioxide ground gases for new buildings', which is a regularly accepted solution for Local Authorities across the UK to facilitate the redevelopment of brownfield sites.

Controlled Waters (potential pollution of River Devon)

The 2008 investigation received a formal response from the EA who confirmed they did not object to the development and recommended that a planning condition was a suitable method to protect the River Devon.

The above recommended remedial measures would only be required in the event that development of the site proceeds Overall the risks identified can be sufficiently mitigated in-line with current best

practice and guidance so as to satisfy the NPPF and that this can be adequately controlled via planning conditions.

History:-

10/00312/OUT – Residential development of 54 dwellings including affordable housing, open space, attenuation pond, landscaping, access, roads and all other associated works on Grantham Road Bottesford – Application withdrawn.

11/00338/OUT – Erection of 50 dwellings – Application refused and dismissed at appeal.

Planning Policies:-

Melton Local Plan (saved policies):

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

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

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

Policy C13: states that planning permission will not be granted if the development adversely affects a designated SSSI or NNR, local Nature Reserve or site of ecological interest, site of geological interest unless there is an overriding need for the development.

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

The National Planning Policy Framework 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.
- 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

- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Meeting the challenge of climate change, flooding and coastal change

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
Highways Authority: No objection, subject to conditions.	

Site Access

Access to the site is proposed off Grantham Road. The applicant has provided site access drawing number 16048/001 which shows a 5.5m wide access road with visibility splays of 120m either side of the site access. The proposed access is located within a 40mph speed limit where 85th percentile speeds are recorded as 41.8mph eastbound and 41.4 mph westbound. Based on these speeds, the LHA is satisfied that the visibility splays are appropriate.

Highway Safety

The Transport Statement submitted by the applicant refers to accident data obtained via CrashMap between January 2011 and December 2015.

To ensure that the most up-to-date statistical baseline with regards to collision data has been analysed, the LHA has reviewed the Personal injury Collision (PIC) data covering the most recent five year period between January 2013 and December 2017. No PIC occurred at the junction of Grantham Road within this time. The applicant has also indicated one PIC occurred at the junction of Grantham Road and the A52 within the study period, which was recorded as slight. This is still the case, however it should be noted that this is on Highways England's network rather than the LHA's network.

Trip Generation

The HA has studied the submitted TRICS data within the Transport Statement which shows the development is likely to generate approximately 30 two way trips in the AM peak and 27 two way trips in the PM peak which is considered to be acceptable. These have been split roughly 60/40 east and westbound respectively.

Based on the forecast level of trips generated by the development, the LHA accept that no further detailed capacity assessments are required on the surrounding network. Again, it should be noted however that the junction of Grantham Road and A52 would fall under the jurisdiction of Highways England.

Off-Site Implications

It is noted that the applicant is proposing to provide a footway from the development site which will connect to the existing footway network at Easthorpe View. The LHA would support the principle of such provision in order to encourage walking to and from the development site alongside ensuring appropriate pedestrian provisions from the site to the nearest bus stop facilities. It is considered the footway would be required prior to occupation of the first dwelling and can be delivered via a condition.

Internal Layout

As the internal layout of the site is not to be

The application seeks outline consent for a development of up to 40 dwellings. The only matter for detailed consideration is the access into the site. Layout, scale of development, matters relating to appearance (design) and landscape would form a reserved matters application should approval be granted.

It is proposed to take the access off Grantham Road with one access point and one further internal road serving a development with a mixture of housing types.

The submitted evidence indicates that there is sufficient capacity in the highway network to accommodate the traffic generated by this development. Off-site works are necessary as part of this proposal to ensure highway safety.

The Highway Authority has no objection to the access from Grantham Road subject to appropriate conditions being met.

<p>determined as part of this application, the residential road layout and parking arrangements have been checked in detail.</p> <p>Transport Sustainability Bottesford is considered to be a sustainable location in transport terms and supports village shops, a school, church, village hall, doctor’s surgery and post office as well as restaurants and public houses.</p> <p>There is a train station located approximately 700m from the site which provides hourly services between Nottingham and Skegness whilst also serving Bingham, Grantham and Sleaford.</p> <p>Bus service 6 operates an hourly service between Bottesford and Grantham; bus service 24 operates an hourly service between Melton Mowbray and Bingham. An infrequent daily service is offered between Ratcliffe on Trent and Kings School Grantham, and Vice Versa on school days via bus service x6. An infrequent daily service is offered between Cropwell Bishop and Great Gonerby/Downtown and vice versa via bus service 41.</p> <p>There is an eastbound bus stop located approximately 200m from the site access and a westbound bus stop located approximately 300m from the site access. However the LHA requires improvements to be made to both the east and westbound stops by way of timetable information cases and raised kerbs in order to support modern bus fleets with low floor capabilities.</p> <p>In addition to this, in order to encourage sustainable travel, the LHA advises the applicants provide travel pack and offer 6 month bus passes to new residents as outlined in the S106 contributions later in the report.</p> <p>Conditions</p> <ol style="list-style-type: none"> 1. Access to be implemented prior to occupation 2. Pedestrian access to be in place prior to occupation 3. Submission of construction traffic management plan 4. Submission of site drainage details 5. Stopping up of existing vehicular access 	
<p>Environment Agency</p> <p>Contamination The Phase 1 Site Appraisal (Desk Study), produced by GRM, dated October 2016 (ref: GRM/P7352/DS.1 Rev. A), refers to previous investigation reports which have not been submitted in support of this application. The Environment Agency has previously made comments on these reports which are summarised below:</p>	<p>The conditions as suggested would be added to any permission granted.</p> <p>Whilst it is acknowledged that the site is within a flood zone, mitigation works are proposed as part of the development.</p>

We note that a total of 10 soil samples from a maximum depth of 0.7m below ground level were submitted for lab analysis. However, the borehole logs show that the norther section of the site comprises of made ground between 3-4.6m in thickness. The Environment Agency would like clarification as to why soil samples greater than 0.7m below ground level were not submitted for lab analysis to adequately characterise contaminants within the made ground. The Environment Agency would expect to see sufficient soil sampling to characterise the entire thickness of the made ground and subsequently assess risks posed to controlled waters from any identified contamination. The applicant has not analysed for TPH contamination as it is reported that there was no visual or olfactory evidence. This does not provide enough evidence that TPH contamination is not present.

The report makes no mention of some of the PAH levels identified. Whilst there are no Drinking Water Standards specific to all of the PAH compounds, the PAH drinking water standard of 0.1pg/l gives an indication of what might be a high level and what is not. With a total PAH recorded at 130 pg/l on site we will require some justification of why the levels identified do not pose a risk to controlled waters. No remediation has been proposed, and no risk assessment has been carried out to show that the concentrations identified do not pose a risk to controlled waters.

In section 9.1.1, the report mentions that a hotspot around WS11 is to be removed or capped. No chemical analysis is provided for this sample location so it is not known what contamination was identified at this location and at what levels.

The Phase 1 report concludes that there is a moderate risk posed to controlled waters from identified sources of contamination, and recommended further investigations to address this and other potentially complete pollutant linkages. The further recommendations must take into account our previous comments, and ensure the risk posed by all potential contaminants of concern are addressed (we note the absence of TPH and VOC/SVOC analysis as discussed in section 2.13).

In making our response, we have considered risks posed to controlled waters only. The Local Authority Environmental Health Officer must be consulted about other risks such as those posed to human health.

Planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, the proposed development on this

site poses an unacceptable risk to the environment and we would object to the application.

Condition

No development approved by this planning permission shall commence until a remediation strategy to deal with the risk associated with contamination of the site has been submitted to and approved in writing by, the Local Planning Authority. This strategy will include the following components;

1. A preliminary risk assessment which has identified:
 - All previous uses;
 - Potential contaminants associated with those uses;
 - A conceptual model of the site indicating sources, pathways and receptors; and
 - Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan provided details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local

<p>Planning Authority. The remediation strategy shall be implemented as approved.</p> <p>No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approve details.</p> <p>Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.</p>	
<p>Lead Local Flood Authority (LLFA) - Acceptable subject to condition</p> <p>An area of the site is identified as Flood Zone 2, at the risk from flooding within the 1 in 1,000 year return period event. Therefore, the LLFA would recommend that any advice provided by the Environment Agency is followed.</p> <p>It should be noted that areas of Bottesford are covered by Trent Valley Internal Drainage Board (IDB), who should also be consulted and any advice provided by the Trent Valley IDB should also be followed.</p> <p>An updated FRA has been provided to the LLFA for review with an associated drainage strategy which address the LLFA’s previous concerns.</p> <p>Leicestershire County Council as LLFA advises the Local Planning Authority that:</p> <p>The proposed development would be considered acceptable to Leicestershire County Council as the LLFA if the following planning conditions are attached to any permission granted.</p> <p>1-submission of surface water drainage scheme 2-Submission of construction surface water management plan 3-SuDS Maintenance plan and schedule 4-Infiltration Testing</p>	<p>The application site is within Flood Zone 1 whilst there are parts of the site within Flood Zone 2, this area will not be developed, however the proposal is at a low risk from flooding. The submitted details as part of the application include a drainage report, flood risk assessment.</p> <p>The proposed development includes SuDS drainage methods which will ensure that surface water run-off from the site can be satisfactorily accommodated.</p> <p>Technical details have been submitted as part of the submission that demonstrates measures can be taken to ensure the site would be safe to occupants, should flood occur.</p>
<p>Affordable Housing</p> <p>Total dwellings – 40</p> <p>Affordable Housing contribution agreed 37%</p>	<p>This is an outline application which allows the details of the housing mix to be considered later, but a condition would ensure that a mixed balance of dwellings is</p>

<p>(15 dwellings) Affordable/intermediate/social rented – 12 rented (80%) Intermediate housing – 3 (20%)</p> <p>Evidence in the Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA, Jan, 2017) shows a need for a split of 80% rented and 20% intermediate housing.</p> <p>The Melton Borough Council Housing Needs Study (HNS, 2016), which examines housing need at a more detailed ward level, has found a c.5% need for starter homes, which can fall within the intermediate housing.</p> <p>The HNS, rather than the HEDNA, needs to be used as evidence for the housing size mix because it has based demographic change likely to be associated with 245dpa level of housing delivery (the amount stated in the Towards a Housing Requirement for Melton BC document, Jan 2017), to identify the optimum housing mix. Affordable housing is split between intermediate housing and social/affordable rented. This is to reflect the difference in the housing mix requirements of each.</p> <p>Affordable/intermediate/social rented: 2 x 1 bed / 2 person houses 4 x 2 bed / 4 person houses 4 x 3 bed / 5 person houses 2 x 4 bed / 6 person houses</p> <p>Total: 12</p> <p>Intermediate housing: 3 x 2 bed houses – Low Cost Homes for Sale (to not exceed 70% of market value)</p> <p>Total: 3</p> <p>Market housing mix 8 x 2 bed houses 2 x 2 bed bungalow 8 x 3 bed houses 4 x 3 bed bungalow 3 x 4 bed house</p> <p>Total: 25</p> <p>A local connection cascade should be applied on this application.</p> <p>The affordable housing should be built out to Housing Quality Indicators (HQI) standards. These are set out in the separate attached DCLG document.</p>	<p>provided. The proposed quantity of affordable housing is in accordance with identified needs identified by the evidence, and Development Plan Policy. (Policy H7 of the adopted Local Plan).</p>
<p>LCC Ecology – No objection, subject to conditions securing mitigation.</p>	<p>Noted.</p>

<p>The site very nearly met Local Wildlife Site (LWS) criteria and it is likely that further survey later In the year would validate this. The site contained 9 indicator species (10 is needed for a LWS, or 7 appearing occasional or above throughout the site). It is therefore suggested to the ecologist that it is assumed that the site does meet criteria to prevent additional delays and it is understood that this has been accepted by the ecologist/applicant. There, In order to remove our objection to the development we would require mitigation/compensation for the loss of the site.</p> <p>In principal it is accepted the proposed compensation of species-rich grassland in the field to the south of the application site, however it is considered that there are some issues that need to be resolved prior to the determination of the application.</p> <p>These are:</p> <ul style="list-style-type: none"> - The acceptability of the proposal to the LPA. The ecologist is proposing off-site compensation and this will need to be secured by planning obligations/S106. - The commitment/agreement of the landowner of the area proposed for off-site compensation. It is not confirmed if it is within the control of the current applicant. Without the agreement of the landowner it is impossible to complete the proposals. - The commitment to manage the habitat creation area for biodiversity long-term - The location and size of the proposed habitat creation. It is appreciated that the letter from the ecologist indicates the southern field adjacent to the river, but a commitments is required to secure the size of the habitat creation. 	<p>The proposal provides an opportunity to provide net biodiversity gains through enhancements within the landscaping. While this is an outline application it is clear that buffer zones could be provided to enhance biodiversity.</p> <p>Mitigation measures have been proposed and a Section 106 agreement can be imposed to safeguard future biodiversity of the site.</p> <p>The Ecology report has been independently assessed and raises no objection from the County Council Ecologist subject to securing mitigation as proposed.</p>
<p>Parish Council</p> <p>2 Councillors had no objection and 2 Councillors objected</p> <p>The bore holes were only done around the edge of the area and not through the middle where the rubbish was dumped.</p> <p>There are errors on the application. Another developer wants to put additional houses adjacent to it and we want only one entrance to the site.</p> <p>The errors are in the Design Proposals Section 6.0 Page 14 reference to Bescaby Road and that Manor House, not applicable to Bottesford Page 19 reference to Bescaby Road and the closeness of doctors surgery, not applicable to Bottesford Page 22, public transport information incorrect.</p>	<p>Surveys and investigative works have been undertaken and results submitted to the Local Planning Authority for consideration, the Environment Agency have been consulted on this application and do not wish to object to the works, however it is noted that conditions are proposed for further investigations to take place prior to the construction of the development.</p> <p>Errors were found within the originally submitted Design and Access Statement, these have been rectified and a revised document submitted for consideration.</p> <p>The provision of services is discussed further within this report.</p>

<p>There is no bus connection to Bingham and the reference to referring to regular bus service to Melton and Grantham is an exaggeration.</p>	
<p>Developer Contributions: LCC</p> <p>Waste The Civic Amenity contribution requirements are outlined in the Leicestershire Planning Obligations Policy.</p> <p>The nearest Civic Amenity site to the proposed development is located at Bottesford and residents of the proposed development are likely to use this site. The Civic Amenity Site at Bottesford will be able to meet the demands of the proposed development within the current site thresholds without the need for further development and therefore no contribution is required on this occasion.</p> <p>Future developments that affect the Civic Amenity Site at Bottesford may result in a claim for a contribution where none is currently sought.</p> <p>Libraries The library facilities contribution is outlined in the Leicestershire Planning Obligation Policy (adopted 3rd December 2014). The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area.</p> <p>The proposed development on Grantham Road, Bottesford is within 1km of Bottesford library on Old Primary School, Grantham Road Bottesford, being the nearest local library facility which would serve the development site. The library facilities contribution would be £1,210 (rounded up to the nearest £10).</p> <p>It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for research e.g. books, audio books, etc. For loan and reference use to account for additional use from the proposed development. It will be placed under project no. BOT001. There is currently one other obligation under BOT001 that have been submitted for approval. Subject to change due to future priorities of the library service.</p> <p>Highways To comply with Government guidance in NPPF the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use: a) Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). If not supplied by LCC, a sample Travel Pack shall be submitted to</p>	<p>Noted.</p> <p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p>

and approved in writing by LCC which may involve an administration charge. b) 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £360.00 per pass). c) Raised kerb provision at the nearest two bus stops at a cost of £3,500 to support modern bus fleets with low floor capabilities.

Education

Primary School Sector Requirement

The site falls within the catchment area of Bottesford C of E Primary School. The school has a net capacity of 315 and 249 pupils are projected on roll should this development proceed, a surplus of 66 pupil places after taking into account the 10 pupils generated by this development.

There are currently no pupil places at this school being funded by S106 agreements from other developments in the area.

An education contribution will therefore not be requested for this sector.

Secondary School (11-16) Sector Requirement

The site falls within the catchment area of Bottesford Belvoir High School. The School has a net capacity of 650 and 672 pupils are projected on roll should this development proceed; a deficit of 22 pupil places. A total of 5 pupil places are included in the forecast for this school from S106 agreements for other developments in this area and have to be deducted. This reduces the total deficit from this school to 17 (of which 10 are existing and 7 are created by this development). There are no other 11-16 schools within a three mile walking distance of the site. A claim for an education contribution in this sector is therefore justified.

In order to provide the additional 11-16 school places anticipated by the proposed development, the County Council requests a contribution for the 11-16 school sector of £119,412.82.

This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Bottesford Belvoir High School or any other school within the locality of the development. The contribution would be spent within 5 years of receipt of final payment.

Post 16 Sector Requirements

This nearest school to the site is Melton Vale Post 16 Centre. The college has a net capacity of 640 and

<p>502 pupils are projected on roll should this development proceed; a surplus of 138 pupil places after taking into account the 2 pupils generated by this development.</p> <p>There are currently no pupil places in this sector being funded from S106 agreements for other developments in the area to be deducted. An education contribution will therefore not be requested for this sector.</p> <p>Total Requirements £119,412.82</p>	
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Representations:

A site notice was posted and neighbouring properties consulted. As a result **17 letters of objection have been received from 13 households.**

Representations	Assessment of Head of Regulatory Services
<p>Character of the area</p> <p>Although the application is in outline form to ascertain access, it should be noted that the house which is proposed to be built at the entrance to the site is virtually at the roadside and well in front of the building line along the neighbouring houses to the west and would therefore be totally out of keeping with the area.</p> <p>Indeed all the dwellings along both sides of this stretch of road are set well back from the roadway, giving an aesthetically pleasing appearance and at the same time preventing residents from suffering from traffic noise and pollution. Furthermore the proposed siting would encourage parking on Grantham Road itself, which would constitute a safety problem due to the bend in the road to the east of the site.</p> <p>All trees and shrubbery should surely be conditioned to remain to hide any development and to encourage the wildlife in the area.</p> <p>The application states that hedgerows would be kept, but clearly some would be removed such a dwelling be permitted so close to the roadside. Although trees have been sited within the main body of the site non area shown by this dwelling, but would be needed in order to camouflage the dwelling and to protect the privacy and amenities of the dwellings on the northern side of Grantham Road.</p> <p>Varying roof heights could be gained by providing some much needed bungalows (along the northernmost edge of the site, which again would hide any development from view) and dormer bungalows. Any dwelling going up to</p>	<p>The applicants have produced a detailed Landscape and Visual Assessment study. This follows accepted professional methodologies.</p> <p>While the appearance of the site would be altered this would not have a significant impact upon the wider landscape and the setting of the village.</p> <p>The scale of the houses have not been submitted for consideration at this stage, indicative plans have concentrated on predominantly 2 storey dwellings with the potential for a small number of single and 2.5 storey dwellings, whilst this matter cannot be considered at this stage as the plans are only indicative, conditions can be added to secure the maximum storey of dwelling should this be considered important in this location.</p> <p>Layout and landscaping could help assimilate the scheme into the landscape. Housing on this site would not appear to be alien or unusual in this location, the Design and Access Statement makes reference to the retention of existing hedgerows on site but as mentioned before this is only indicative and full details would be submitted at a Reserved Matters Stage.</p> <p>As per comments above full details of the housing type would be submitted at a Reserved Matters stage.</p>

<p>third storey should be avoided at all costs.</p> <p>It does nothing to enhance the village, it is out of keeping with all other properties on either side of the site.</p> <p>The type of housing proposed is not in keeping as this stretch of Grantham Road has architecture based on single dwellings facing the road with their own separate plots. The proposal is not in any way representative of the local vernacular.</p> <p>The building density is out of keeping with the houses on the village outskirts and the adjacent properties in particular.</p> <p>The emerging Neighbourhood Plan in its consultation with residents established that protecting the green and rural approaches to the villages was of major concern. The DAS shows that one house will be clearly visible from the road and the preference here is for all the houses to be behind an improved tree screen with the housing concealed behind it.</p> <p>This site should be screened from the road to maintain the current aspect and this would be aided by a single access to both sites centrally located.</p> <p>There should be no houses in sight from Grantham Road.</p>	<p>The density of this proposal is considered to be complementary with the overall density and character in the surrounding areas.</p> <p>As yet Bottesford have not submitted a Neighbourhood Plan for consideration, therefore the proposal is to be determined on Local and National Planning Policy which is explained in depth further in the report.</p> <p>As per previous comments, landscaping will be considered as part of the submission of Reserved Matters should this outline proposal gain consent.</p>
<p>Highway Safety</p> <p>Objection on the grounds of highway safety and the amount of traffic along the Grantham Road where there is already problems with speeding vehicles entering after a long stretch of highway were there are no speed limits.</p> <p>Currently there is no pedestrian, cycle or mobility vehicle (increasing in number) access way along an increasingly busy road.</p> <p>There are already numerous existing turns onto this road which will become more dangerous with the retail development planned.</p> <p>Points made by those who live near to the site about access to this site and the neighbouring site should be considered</p>	<p>As per comments above, the County Highway Authority have assessed the proposal and do not consider that there would be a significant impact upon highway capacity or safety.</p>
<p>Flooding</p> <p>Concern relating to water drainage from the site, The River Devon close to the proposed development does not flow properly. This is because the sluice gates on the Mill Property in Bottesford are not regulated by the owners of that</p>	<p>Please see comments above from the relevant drainage authorities, none of which are objecting to the proposal subject to certain conditions.</p> <p>The application is in outline and full details, along with</p>

<p>property and the Environment Agency are well aware of the serious nature of this problem.</p> <p>Recently the river at this point has had to be dredged as there was a serious flooding risk with the large amount of silt which had backed up due to the non-flow of the river.</p> <p>According to the Environment Agency this will be an ongoing problem unless the river could be re-diverted which obviously would be very costly. Any further water drainage into the River Devon at this point will only aggravate the problem and could cause flooding.</p>	<p>calculations for capacity etc and future management re recommended by the LLFA.</p> <p>The application is accompanied by a Flood Risk Assessment which includes detailed hydraulic modelling has been undertaken by JBA Consulting for the site to refine the flood plain extents identified by Environment Agency modelling. From the results, a contour line at 34.69 mAOD has been chosen as a conservative level for the 1000 – year flood event; the red line boundary for the site will be wholly within Flood Zone 1 based upon the modelling results.</p> <p>The application is accompanied by a Phase 1 Site Investigation which has been informed by a Phase 2 survey that was previously undertaken. As per the recommendations of the Environment Agency, should planning permission be granted, various conditions would be imposed to ensure that additional investigation is undertaken and the appropriate remediation strategy put in place.</p> <p>The application proposes to install attenuation tanks in the southern part of the site. This will ensure the appropriate run-off rates will be achieved, accounting for climate change.</p>
<p>Residential amenity</p> <p>While the new development is slightly to the south west of our vision we feel that as so many houses are to be erected either bungalow or house, up to three storey high, will be a loss of privacy and highly valued views across the Vale of Belvoir leading to a de-valuation of property.</p> <p>As there will be a need for a pumping station on the site concern is raised about the smell from foul water and the noise from the continuous use of pumps.</p>	<p>The application is proposed at outline stage with only access for consideration at this time. Should permission be granted then a Reserved Matters application would be required to be submitted which would detail the position of dwellings and their details for such matters as location of windows which would need to respect the amenity of existing dwellings in that location.</p> <p>The loss of a view or de-valuation of a property are not material planning considerations and cannot therefore be considered in the determination of this planning application.</p> <p>With regards to the pumping station, details of this and its location have not yet been presented and would be considered at a Reserved Matters application stage.</p>
<p>Contamination</p> <p>As the site is brown field the clay pit was filled in with some potentially hazardous material which is still giving off fumes which will be disturbed when building commences. Extreme care will be necessary in development because of the contamination and the presence of the Japanese Knotweed.</p> <p>The site borders the main waterway through the village and so any leakage of contaminates or JK from this site will be very harmful.</p> <p>The applicant claims that the land is Brownfield</p>	<p>Application 11/00338 was reviewed by LCC Minerals who confirmed that the site does not meet the definition of brownfield land because the land has been restored under the terms of a planning permission. The fact that the infilling was done in accordance with previous planning permission requiring the site to be restored (ref. no 1987/0657/06 and 1981/0636/06) means that the land is greenfield.</p> <p>As set out in the submitted information, The previous</p>

<p>but records show that it was clarified back in 2010 that the land was remediated and is definitely Greenfield.</p> <p>Local residents have consistently been concerned over the health hazards likely to arise from disturbance of the site and this is now reinforced in the letter from the Environment Agency dated 19th February 2018 where they query the extent of previous testing and cite levels of hydrocarbons likely to pollute the Devon.</p> <p>They go on to say that further checks should be carried out to establish whether there is harm to humans.</p> <p>Local concerns about this contamination and clearly emphasised in the EA letter must be effectively addressed. There is a question of the adequacy of borehole distribution and depth required to identify the substances buried there and the high levels of toxic materials located in the previous survey. Disturbing this area for foundations, piling and so forth may release contaminants into the River Devon and local concerns regarding current and future health and safety risks must be satisfied.</p> <p>A large amount of waste was dumped on this site before current, relevant legislation was in force.</p> <p>Further the EA is suggesting that the surface water from the site may need to be treated as foul sewerage and piped away accordingly, requiring checks with the sewerage authority that the capacity of the sewerage infrastructure is adequate.</p> <p>The EA letter sets out conditions and these must be followed before any development proceeds.</p> <p>The land is contaminated, there needs to be some specific details in place from the developers on how they intend to a) assess what is there already and b) reassure us residents, of how this will be safely disposed of, before any potential building takes place. Please let's be clear and honest about lies beneath this land as this is one of the main concerns as to why it was rejected in the past.</p> <p>The land is heavily contaminated, contains buried vehicles, farm waste and demolition material. The site still has surface methane gas taps so is not suitable.</p> <p>Previous construction on the edge of the landfill has had significant engineering problems, with a substantial foundation costs.</p> <p>When No 94 Grantham Road was built the</p>	<p>ground investigation included chemical testing (soils and waters). Made ground was tested for PAHs and metals but not for TPH, VOC/SVOCs and asbestos as during ground investigation, visible indication of such contamination was not observed. Testing of the soils did not record elevated concentrations of contaminants. However, the following contaminants in perched groundwater (within the made ground) have been identified as being elevated when compared against the EQS values, or where not available, against UKDWS values:</p> <p>Cyanide – Recorded concentration of <40pg/l exceeds EQS values of 1pg/l. Ammonia – Recorded concentration of 1.4-15mg/l exceeds EQS of 0.2mg/l. PAHs – Recorded concentration of 4.4 – 130pg/l exceeds UKDWS of 0.1pg/l.</p> <p>In addition to the general contaminants listed, the following site specific contaminants have been identified, which were not specially tested for in 200.</p> <p>Cement asbestos associated with former landfill.</p> <p>Ground gases have also been considered and are reported in the document which concludes that based upon previous investigation, the risk of ground contamination is considered to be low for end users. The report recommends that allowance be made for clean capping in all landscape and garden areas, gas protection measures, upgraded water pipes and minimisation of off-site disposal.</p> <p>The Local Planning Authority has consulted the relevant bodies and subject to conditions being met and further works taking place the site is suitable for housing development.</p> <p>It should also be noted that the previous appeal decision did not refuse the proposal on contamination grounds, further works were also advised at this application with the inspector concluding that despite the fears of the Parish Council and others about building on a landfill site, the Environment Agency, who are the responsible authority on such matters, raised no objection to the proposal, subject to certain conditions. The conclusion must be that, with appropriate conditions, there would be no realistic likelihood of any material harm to humans or the environment.</p>
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<p>foundations were affected by the land fill to an extent that they kept caving in. The result was a 20ft deep cradle had to be erected using Breeze Blocks then filled with sand support foundations (very costly exercise) so all land East of 94 will be subject to the same. Therefore not only expensive too the developer, but likely to negate any Low Cost Housing.</p> <p>As discussed at last public debate, there is strong evidence of dangerous chemicals substances being present this needs to be considered.</p> <p>When the Bottesford Neighbourhood Plan group submitted a list of all available sites in Bottesford (whether deemed suitable or not) MBC agreed with this group's findings that this particular site was unsustainable. Nothing was changed, so how can it now be deemed to be suitable for development? Knowing its history e.g. the dumping of potato slurry and having witnessed the dumping of white goods, old paint tins, cable drums, oil drums, scaffold planks, painted wooden doors/cupboards, lengths of old wood and scrap metal etc.</p> <p>Extremely concerned that this site is now being considered as suitable for development. It was also acknowledged in a previous application that asbestos had been dumped in the tip. How can engineers state categorically that no harm will come to those forced to buy a house on a tip?</p> <p>Surely dwellings should only be built where there is a certainty that there will be no contaminants. We only have to remember the dismantling of the steel works at Corby to know how that can happen.</p>	<p>The Bottesford NP has not yet been published to reveal its site selection proposals, and reasons for them. This site has been assessed against the other opportunities in Bottesford as part of the Local Plan process and found to be suitable for development, and to compare favourably with several other sites. On this basis, it is identified in the emerging Local Plan as an allocated housing site.</p> <p>Please see comments earlier regarding contaminants and their treatment.</p> <p>Please see comments earlier regarding contaminants and their treatment.</p>
<p>Planning History</p> <p>The site cannot be deemed suitable for building owing to the various classes of contaminants, and its proximity to the river.</p> <p>Previous officers have rejected it, and the land itself has not changed since then it was not suitable previously, and is not suitable now.</p> <p>In 2010 Melton Borough Council decreed that building on this site would be an unacceptable encroachment into the countryside and in our opinion this statement is still true.</p> <p>Our objections are supported by Case Officers who have raised the following concerns in the past – how could a decision to permit this application be justified now, bearing in mind their previous decisions?</p>	<p>Planning application 11/00338/OUT proposed an outline application for the erection of 50 dwellings.</p> <p>The proposal was refused at the planning committee of 11 August 2011 for the following reasons</p> <ol style="list-style-type: none"> 1- This is a greenfield site which lies outside of the village envelope and within the countryside and in a location that represents an unacceptable encroachment in to the countryside as the proposal is not one of the types of development permitted within the countryside by Policy OS2 of the Adopted Melton Local Plan, and the applicant has not advanced sufficient justification for allowing the development contrary to the development plan. It is therefore contrary to national policy contained in PPS 3 and PPS 7 and it conflicts with Policy OS2 of the Adopted Melton Local Plan.

<p>A need for more housing in the County cannot be justification for building on a site which has previously been deemed to be unsuitable.</p> <p>How can this now be a suitable site when previous applications have not been approved. What has significantly changed to the planning application that addresses previous residents and local councillors concerns? Nothing that residents are aware of.</p> <p>The Inspector's report when the site failed a Public Inquiry referred to the need to be particularly sensitive to the neighbouring property as it is likely that capping the contamination would raise the site above the site level of the adjacent house.</p>	<p>2- Within the Borough of Melton there is currently an identifiable 5 year housing supply as required by PPS 3 and therefore there is no over-riding need to release the application site contrary to the provisions of the development plan. The benefits that have been advanced by the applicant are not considered to outweigh the harm caused by the proposals and the site is not considered to be a sustainable location where the development of a significant housing development of this nature would be likely to generate significant traffic movements by the private motor car, contrary to the objectives of PPS1 and PPS3</p> <p>3- The development of 50 dwellings on a site of this size would result in an urban form in an edge of settlement location where the general character is of a more spacious and open appearance and the proposal fails to reflect the locally distinctive character of Bottesford and would be detrimental to the character and form of the settlement. The proposal would therefore conflict with the provisions of Policy BE1 of the Adopted Melton Local Plan.</p> <p>The applicant appealed the planning refusal and the inspector dismissed the appeal, who concluded that</p> <p>1- The appeal proposal would be contrary to the policies of the Development Plan by virtue of the site being in the countryside, outside the Bottesford Village envelope.</p> <p>2- However, with less than a five year housing land supply, paragraph 71 of PPS 3 says that, applications for housing schemes should be considered favourably, subject to the considerations set out in paragraph 69 of the PPS. The proposal would accord with all these considerations except that it would conflict with the national and local policies designed to protect the countryside from housing and other developments. There is also no pressing need for additional housing provision in the immediate vicinity of Bottesford.</p> <p>3- The proposal includes for the provision of 20 units of affordable housing, though they cannot be completely guaranteed because of the wording of the planning obligation, and a similar number of affordable units may in future be provided elsewhere in the general area. The scheme would also make good use of a site which is of little agricultural use.</p> <p>4- The lack of a five year supply of housing land and the advantages of the scheme do not outweigh the need to protect the countryside from such developments and therefore the appeal will be dismissed.</p> <p>Since the refusal of this application both Local and National Policy has changed, the National Planning Policy Framework has become the National Development Plan, Melton Borough Council is also progressing with a</p>
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	New Melton Local Plan, details of policy requirement in these respects are discussed at depth later in the report.
<p>Services and Sustainability</p> <p>A lot of time has been spent on all of the documents that have been submitted supporting this development however none of the documents mention how our village will be made a better place by another large development</p> <p>Will there be another school built to help the all ready over subscribed Bottesford primary and high school</p> <p>Will the 2 Doctors surgeries be helped out with the extra 200 (potential) patients, and will the 2 main bottlenecks in the village (High Street and Queen Street) be made any wider or parking increased, Bottesford can not sustain the size of development</p> <p>The site is not a sustainable location another fact recognised by officers historically, when they have stated that building on this site would encourage the use of the car.</p> <p>Too far away from the Village centre and it's amenities for most potential residents such as young children and the elderly to walk, therefore increased traffic.</p> <p>You could count on the one hand the number of people from the site eastwards who ever walk/cycle to the village, never mind those who do it on a regular basis. The centre of the village is already a nightmare to traverse due to the number of parked cars, vans etc., and would be considerably worsened should this development be permitted.</p> <p>Transport is much more limited than the application suggests and timetables should be thoroughly investigated to see exactly where you can and even more pertinently, where you cannot catch buses to and from.</p> <p>Whereas the distance to the Bottesford retail area might be suitable for walking and cycling people going shopping will most likely use their car.</p> <p>This will put additional strain on our small village infrastructure which is already under strain with lack of parking at shops and doctors and full capacity schools etc.</p> <p>We understand the quota of housing has gone up for Melton Council but surely there are other more suitable sites around Melton itself where their infrastructure can handle the additional capacity. The fundamental issue here is there</p>	<p>Bottesford is well served in terms of employment, retail, education and dental services. It also has good access to transport choice.</p> <p>The village has the only secondary school outside of Melton Mowbray and therefore acts as an important hub for surrounding communities.</p> <p>There is no indication that the services can't cope with this development or the cumulative effect of other allocated developments within the village.</p> <p>Developer contributions have been requested to accommodate and improve services for the existing and future occupants of the village.</p> <p>The site is well connected to the village and sits both next to and across from existing built form, The location of the proposal subject to further work as recommended by the County Highway Authority ensures that the development would have easy access to the services within the village.</p> <p>The Local Planning Authority has no evidence to suggest that existing services cannot accommodate the proposed dwellings subject to certain conditions and developer contributions.</p> <p>The site is allocated in the new Local Plan alongside those in and around Melton to meet the identified needs. The Plan sets out a strategy that 65% (approx.) of needs will be met in and around Melton Mowbray. Service Centres and Rural Hubs will accommodate 35% of the remaining need on a proportionate basis.</p> <p>Bottesford is the Borough's second largest settlement and has the greatest range of facilities and services of all of the villages. In recent years there has been under delivery of housing across the Borough, the aims of the New Local Plan is to develop sites allocated within and adjoining the</p>

<p>being a need for it, which I would suggest not based on current already completed or approved developments.</p> <p>If the site was deemed unacceptable before, what has now changed to make the council think it's acceptable, it just seems that it's to meet increased quotas. Site suitability and sustainability still has to be taken into account.</p> <p>Access, during construction and HGVs moving through the village, access on completion, utilities and drainage all need further attention.</p> <p>The proposed development of residential dwellings will have an adverse effect on an already over populated village that struggles to accommodate its tolerant yet frustrated residents.</p>	<p>Service Centres to enhance the sustainability of the community.</p> <p>The decision taken in 2011 was under a policy framework fully superseded by the NPPF and the emerging Local Plan.</p>
<p>Other matters</p> <p>There are inaccuracies in the application, concerning matters not pertaining to the Bottesford site, surely these discrepancies need to be addressed before any recommendation/decision can be made.</p> <p>Developers apply for outline permission and once this is granted, they then apply for more dwellings than stated in the original application. This application encloses an indicative plan which appears to show 37 dwellings with an option for up to 40. If the application is approved, surely it would be prudent to stipulate a maximum number with a strict condition that under no circumstances may this number be increased.</p> <p>The problem with these outline planning applications is once successful there is a tsunami of amendments afterwards and the final plans bear no resemblance to the original outline.</p> <p>MBC put this forward as part of one plot but there is no sign of the two organisations working together. To date there has been no evidence that there will be any cooperation between this development and the adjacent one which, it is understood, will be the subject of an application imminently.</p> <p>It is appreciated that you can only determine the plans in front of you but as the Local Plan identifies this as one plot it must be recognised that the adjacent site will be a future application and there are real benefits in considering them together.</p> <p>The historical ethos of MBC has been to prevent the coalescence of villages. The need for more</p>	<p>As previously mentioned, a revised Design and Access Statement has been submitted to the Local Planning Authority for consideration.</p> <p>The applicant has agreed to amend the description of the proposal to include the words "up to 40 dwellings" as this now forms the proposal should permission be granted then the Reserved Matters application would also need to be for "up to 40 dwellings".</p> <p>The indicative plans submitted with such applications should be regarded in the correct context – they are not firm proposals for the layout of the site. The permission seeks only 'permission in principle' plus approval of access arrangements.</p> <p>This application is determined upon its own merits, any further application would also need to be considered in this context. However it is noted that this application only forms part of the proposed allocated site.</p> <p>The content and impact of the new Local plan is addressed below.</p> <p>The outline planning permission is an allocated site within the New Melton Local Plan and therefore</p>

<p>houses cannot justify building anywhere and everywhere, particularly on unsuitable sites. The “field” in question here runs down to the river and on the other side of the river there is a single field which adjoins Muston Lane, Easthorpe. Chestnut House, Muston Lane is sited on the river side of the land and there is currently an application being considered for 5 more properties on this norther side. If granted this would open the floodgates for the landowner(s) of the field(s) directly opposite the site to apply for housing on his/her/their land thus rendering this valuable ethos obsolete. If building is permitted on sites such as the one in question, then very soon all three villages could find themselves coalesced into one village (or should we say town) of Normanton by Bottesford cum Easthorpe. Al three are villages in their own right and should remain so.</p> <p>All applications in recent times for the village fail to address infrastructure, the village centre is not equipped to take more traffic and people, understanding this is on top of the recent addition of 50 houses on Belvoir Road and the soon to start 80 plus houses on Normanton Lane.</p> <p>If each house were to have an average of 3 people the population of the village would have to accommodate circa 500 new residents and possible circa 200 plus cars and their daily vehicle movements.</p> <p>The application is another example of a ‘piecemeal approach’ to development in Bottesford without sufficient infrastructure planning.</p> <p>Bottesford should not become a dormitory town for Nottingham. With all development under construction at West Bridgford/Edwalton this situation can only get worse.</p> <p>Apart from a connective footpath the design shows little consideration of the fact that the neighbouring site is likely to be developed. An overall plan for the two sites would be preferable. A reduction in the number of houses on this site might enable a link between the two sites to be better designed.</p>	<p>consideration of its siting in connection with nearby villages and also the protect areas within the New Local Plan to avoid such coalescence taking place. Other sites in the area are not similarly allocated and as such concerns over ‘precedent’ are misplaced.</p> <p>Services and facilities have been considered as part of this application and there is no evidence to suggest that existing services cannot cope with the additional dwellings on this site, developer contributions have been requested where there is a need for improvement.</p> <p>The outline planning permission is an allocated site within the New Melton Local Plan which provides a holistic approach to development in Bottesford. Its formulation has taken into account infrastructure through direct engagements with the relevant agencies and none have advised that capacity is not available and/or cannot be provided.</p> <p>Noted</p>
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Other Material Considerations,:

Consideration	Assessment of Head of Regulatory Services
Application of Planning Policy	

<p>The NPPF advises that 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.</p> <p>The NPPF recognises that housing should meet the needs of present and future generations (para 10). It continues to recognise the importance for local planning authorities to understand the housing requirements of their area (para 28) by ensuring that the scale and mix of housing meets the needs of the local population. This is further expanded in para 110-113, in seeking to ensure that housing mix meets local housing need.</p> <p>The NPPF seeks to boost the economy and house supply to meet local housing needs. 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 application is required to be considered against the Development Plan and other material considerations. The NPPF is a material consideration of some significance because of its commitment to boost housing growth.</p> <p>Bottesford is considered to perform well in sustainability terms owing to its community facilities and access links.</p> <p>5 year land supply issues: The Council’s most recent analysis shows that there is the provision of a 5 year land supply and as such the relevant housing policies are applicable. Therefore this consideration does not weigh against the Development Plan.</p> <p>However, the 1999 Melton Local Plan is considered to be out of date and as such, under paragraph 215 of the NPPF can only be given limited weight. The application is required to be considered against the Local Plan and other material considerations. The NPPF is a material consideration of some significance because of its commitment to boost housing growth. This means that the application must be considered under the ‘presumption in favour of sustainable development’ as set out in paragraph 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 proposal therefore complies with the NPPF and saved policies of the Local Plan in terms of principle, being located within a sustainable settlement.</p>
<p>The (new) Melton Local Plan – Submission version. The new local plan has now completed Examination and the Inspector has recently suggested proposed Modifications which are currently out for public consultation. None of these specifically address this site.</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, 	<p>The Local Plan has progressed through examination stage and the Main Modifications are currently out for consultation.</p> <p>The relatively minimal amount of work required to complete the local plan modifications that do not impact upon the main policies of the plan can be afforded significant weight.</p> <p>We therefore need to consider the application in accordance with paragraph 216 of the NPPF which states due weight should be given to relevant policies in emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).</p> <p>The site is identified for housing purposes in the Emerging Local Plan and referenced as BOT 2 and ranked second of the four allocated sites, the summary of assessment describes that the site as well related to the village with some flooding constraints to southern part of the site. The updated site assessment work has removed</p>

<p>the greater the weight that may be given).</p> <p>The Submission version of the Local Plan identifies Bottesford as a Local Service Centre in respect of which under policy SS1 and SS2 the proposal as an allocated site is considered acceptable</p> <p>Policy SS1 –Presumption in favour of Sustainable Development: when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:</p> <p>Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the national planning policy framework taken as a whole; or</p> <p>Specific policies in that framework indicate that development should be restricted.</p> <p>Policy SS2 –Development Strategy: Provision will be made for the development of at least 6,125 homes and some 51 hectares of employment land between 2011 and 2036 in Melton Borough.</p> <p>Development will be distributed across the Borough</p> <p>Policy C1 (A) – Housing Allocations: New housing will be delivered within the Local Plan on a number of sites to which this site forms one of those, the policy continues that Housing proposals will be supported where they provide;</p> <ol style="list-style-type: none"> 1 A mix of dwellings in accordance with Policy C2; 2 Affordable housing in accordance with Policy C4; 3 The necessary infrastructure required to support 	<p>the areas within Flood Zone 3, and the site capacity has been updated to reflect this. Good access and links to village. Contaminated land/landfill may require mitigation. Overall potential allocated site. 86% of the site lies within Flood Zone 1, which will affect the overall capacity and final layout and will require mitigation.</p> <p>The site is identified for housing purposes in the Emerging Local Plan for an estimated number of 65, this application proposes 40 of these and would leave part of the site undeveloped for a further application to be submitted to fulfil the total allocation of the site.</p> <p>The proposal accords with the requirements of Policies IN1 and IN2 which strongly emphasises the need to provide housing in a location that can take advantage of sustainable travel and make appropriate provision for parking and ensure that there is not a significant impact caused to the Highway network.</p>
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<p>development in accordance with Policy IN1 and IN2; and 4 High quality design in accordance with Policy D1. 5 The requirements as set out in Appendix D1</p> <p>Bottesford Parish Neighbourhood Plan</p> <p>Bottesford PC are a qualifying body with an intention to develop a Neighbourhood Plan.</p> <p>However no Neighbourhood Plan has been published and as such cannot be a consideration in this instance.</p>	
<p>Sequential test Paragraph 101 of the NPPF states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding and that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.</p>	<p>The site is allocated within the New Local Plan and therefore assessed in accordance with the Strategic Flood Risk Assessment and in accordance with PPG when considering a sequential test.</p> <p>Notwithstanding that it is not necessary to apply the sequential test in this instance, because the site has been adjusted to ensure that it is entirely contained within the area identified as Flood Zone 1.</p>

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 considered to have a sufficient supply of deliverable housing sites in line with current planning guidance, with the most recent evidence pointing to approx. seven years. This site is included in the land supply calculation.

Affordable housing provision remains one of the Council’s key priorities. This application presents some affordable housing that helps to meet identified local needs. Accordingly, the application presents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the local market housing needs. Bottesford is considered to be a highly sustainable location having access to employment, health care facilities, primary and secondary education, local shops, and regular bus and train services. It is considered that these are material considerations that weigh in favour of the application.

There are a number of other positive benefits of the scheme which include surface water management in the form of a sustainable drainage system.

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the development of the site from its green field state and the impact on the character of the rural village.

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 affordable housing in particular. The balancing issues – development of a green field site and impact upon character are considered to be of limited harm.

This is because, in this location, the character of the site provides potential for sympathetic design, careful landscaping, biodiversity and sustainable drainage opportunities, the site is also allocated for development in the submitted Melton Local Plan.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits; it is considered that permission can be granted.

Recommendation: PERMIT, subject to:-

(a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:

- (i) Contribution for the improvement to library facilities.
- (ii) Contribution to sustainable transport options
- (iii) Contribution to maintenance of open space
- (iv) The provision of affordable housing, including the quantity, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs
- (v) The provision of safeguarding and relocating existing identified wildlife.

(b) The following conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site until approval of the details of the "external appearance of the buildings, Layout, Scale and Landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
3. The reserved matters as required by condition 2 above, shall provide for a mixed of types and sizes of dwellings that will meet the area's local market housing need.
4. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.
6. 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.
7. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on drawing number 16048/001 have been implemented in full. Once provided, the visibility splays shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres.
8. No part of the development hereby permitted shall be occupied until such a time as a pedestrian footpath, including dropped kerbs where necessary, along Grantham Road linking the site to the existing footway at Easthorpe View has been provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority.
9. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details 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.

10. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.
11. The new vehicular access hereby permitted shall not be used for a period of more than one month from being first brought into use unless any existing vehicular access on Grantham Road that become redundant as a result of this proposal have been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.
12. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority.
13. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.
14. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.
15. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.
16. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority.

This strategy will include the following components:

A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3.

The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

17. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall

be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

- 19 No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.
- 20 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reasons:

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To ensure that the housing needs of the borough are met.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
5. To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public, nature conservation or historical significance.
6. To provide a reasonable period for the replacement of any planting.
7. To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.
8. To mitigate the impact of the development, in the general interests of highway and pedestrian safety and in accordance with Paragraph 32 of the National Planning Policy Framework 2012.
9. 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. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Paragraph 32 of the National Planning Policy Framework 2012.
11. In the interests of highway and pedestrian safety in accordance with Paragraph 32 of the National Planning Policy Framework 2012.
12. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
13. To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.
14. To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.

15. To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.
16. To prevent pollution of controlled waters and comply with the National Planning Policy Framework. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).
17. To prevent pollution of controlled waters and comply with the NPPF.
18. To prevent pollution of controlled waters and comply with the NPPF.
19. To prevent pollution of controlled waters and comply with the NPPF. Infiltration through land contamination has the potential to impact on groundwater quality.
20. Piling can result in risks to groundwater quality from, for example, mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

Officer to contact: Ms Louise Parker

Date: 11 May 2018