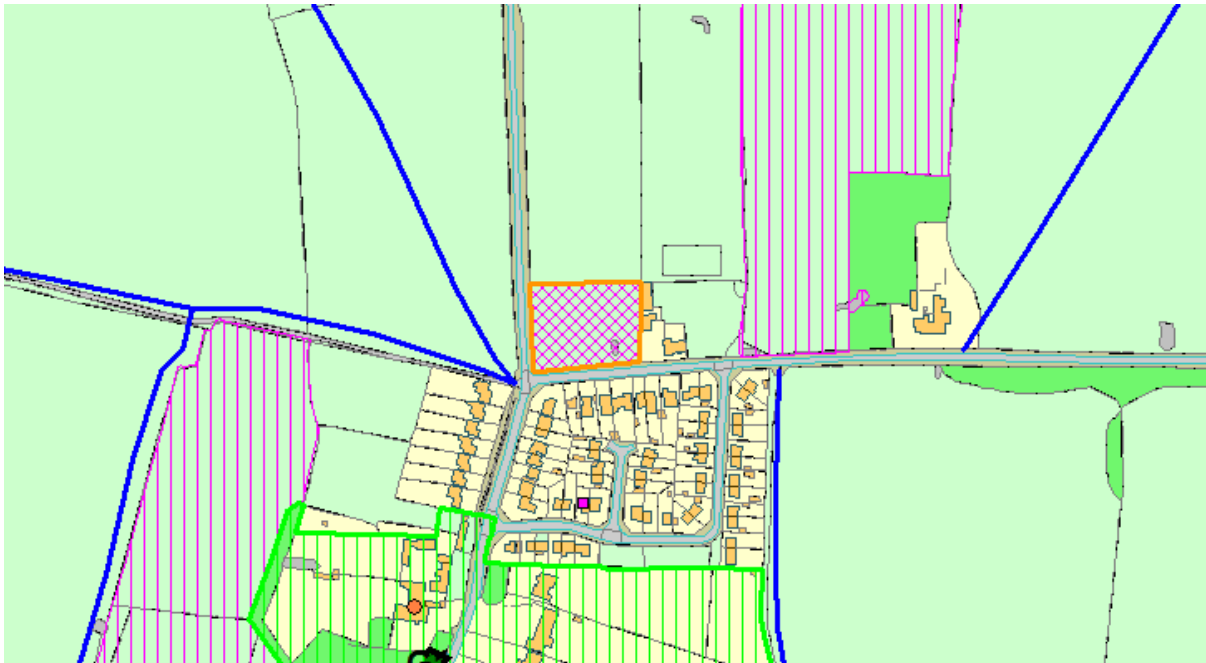


**Reference:** 18/00145/OUT  
**Date Submitted:** 5<sup>th</sup> February 2018  
**Applicant:** Mr Robert Fionda, Fairyhill Ltd  
**Location:** Land North of Pasture Lane, Gaddesby  
**Proposal:** Outline planning approval for 11 No. dwellings.



**Proposal:-**

The application seeks outline permission for 11 dwellings. Details of the proposed access have been submitted for consideration, with all other matters reserved.

The application site is currently a paddock to the north of the village of Gaddesby and is located outside the village envelope and Conservation Area. The site is a proposed allocation site in the emerging Local Plan as GAD2 for up to 11 dwellings.

It is proposed that access to the site will be gained from Pasture Lane.

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

- **Compliance or otherwise with the Development Plan and the NPPF**
- **Impact upon the character of the area**
- **Impact upon wildlife/ loss of green space**
- **Drainage/ flooding issues**

- **Highway safety**
- **Sustainable Development**
- **The role of the Emerging Local Plan.**

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

**History:** - There is no relevant planning history for this site.

**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 H11:** planning permission will not be granted for residential development of 15 or more dwellings unless it makes provision for playing space in accordance with the council's standards at appendix 6 of this local plan.

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

**The National Planning Policy Framework introduces a 'presumption in favour of sustainable development' meaning:**

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- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: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

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

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

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation)
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Take account of the different roles and characters of different areas, promoting the vitality of urban areas, recognising the intrinsic character and beauty of the countryside and support thriving rural communities.

**On Specific issues it advises:**

#### **Promoting sustainable transport**

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

#### **Delivering a Wide choice of High Quality Homes**

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- 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:-**

<b>Consultation Reply</b>	<b>Assessment of Assistant Director of Planning and Regulatory Services</b>
<p><b>Leicestershire County Council Highways</b></p> <p>Pasture Lane is an unlit, unclassified road subject to a 30 mph speed limit at the point of access. This speed limit changes to 60 mph approximately 125 metres east of the proposed access.</p> <p>For the proposed point of access at Pasture Lane, Leicestershire's current design guidance specifies that for a road of 30 mph visibility splays of 2.4 x 43 metres are required. The CHA received information in the applicants "Design and Access Statement" stating that "forward visibility splays will be provided along Pasture Lane at 2.4 x 33m consistent with the low vehicle speeds at the intersection of Pasture Lane and Park Hill / Rotherby Road", there is no evidence provided as part of this application which supports the assertion as stated above, therefore the CHA can only refer to the required visibility standard of 43m based on the speed limit of the road in accordance with Leicestershire's Highway Design Guidance. The CHA have reviewed the site layout arrangement and with the adequate clearance of hedgerows at the front of the development the required 43m visibility splay based on the 30mph speed limit.</p> <p>The CHA have reviewed personal injury collision data from the most recent 5 year period. Whilst there have been no recorded serious or fatal injury collisions on Pasture Lane within 500m in both directions of the access, it is important to note that a slight collision occurred on Park Hill Road south of Pasture Lane in 2016 involving a tractor and ridden</p>	<p><b>Noted.</b></p> <p>It is considered that the proposed access point to the site is acceptable in highway safety terms.</p> <p>As the application is for outline permission at present, and the parking arrangements in the site will be finalised at reserved matters stage.</p> <p>Should permission be granted relevant conditions as requested by LCC Highways can be included in the decision.</p>

<p>horses, typifying the agricultural nature of the setting.</p> <p>The internal layout arrangement is subject to the reserved matters application it should be noted that in layout the internal arrangement will not be considered for adoption by the County Highway Authority in its current form.</p> <p>Conditions proposed include:</p> <ol style="list-style-type: none"> <li>1. Access of minimum 5m, gradient no more than 1:12 for at least 5m behind highway boundary and appropriate materials.</li> <li>2. Vehicular visibility splays.</li> <li>3. Pedestrian visibility splays.</li> </ol> <p>Note to Applicant included regarding adoption of highway.</p>	
<p><b>Lead Local Flood Authority</b></p> <p>It has been acknowledged by the LLFA that the connection to the ditch outfall and the ditch itself has been confirmed as within the ownership of the client and is therefore, suitable as an outfall.</p> <p>It is understood that the site is underlaid by mudstone and is potentially unlikely to be feasible for infiltration. However, infiltration testing in accordance with BRE Digest 365 Soakaway Design should still be undertaken to fully confirm the un-suitability or otherwise of the site for infiltration drainage.</p> <p>The proposed development would be considered acceptable to Leicestershire County Council as the LLFA if the planning conditions are attached to any permission granted.</p> <ol style="list-style-type: none"> <li>1. Surface water drainage scheme to be submitted and approved in writing by the LPA.</li> <li>2. Details of management of surface water on site during construction to be submitted and approved in writing.</li> <li>3. Details of long term maintenance of SUD to be submitted and approved in writing by the LPA.</li> <li>4. Infiltration testing to be carried out and FRA to be updated.</li> </ol>	<p><b>Noted.</b></p> <p>Should permission be granted relevant conditions as requested can be included in the decision.</p>
<p><b>Environment Agency</b></p> <p>Being within flood zone 1, the site does not fall under either of the above categories and</p>	<p><b>Noted.</b></p> <p>Comments have also been received from the LLFA regarding the proposed development (see above).</p>

<p>therefore we do not wish to comment further on these proposals as our standing advice applies.</p>	
<p><b>Leicestershire County Council Ecology</b></p> <p>The revised proposals are satisfactory in principle. However, the loss of a GCN pond will require more substantial mitigation than that required from increasing the buffer by removing a plot, with the new pond being constructed in a way suitable for GCN, prior to any development on site. An EPS licence will be required and the application site will need to be subject to GCN fencing, with a programme for trapping GCN within the site boundary prior to the commencement of the development (after construction of the new pond).</p> <p>We would still recommend that the northern site boundary is planted with a native hedgerow. This will provide a landscape buffer to the development and will also provide connectivity for GCN between the new pond and the western site boundary.</p> <p>If this revised layout is acceptable, we would recommend that the following is incorporated into a condition(s) of the development:</p> <ul style="list-style-type: none"> <li>- A GCN mitigation plan must be submitted in support of the reserved matters application. This must include the mitigation required for the creation of a new pond to the north of the development and the removal of the pond adjacent to Pasture Lane.</li> <li>- A landscaping plan should be submitted with the reserved matters application, detailing the proposed landscaping in the area of the new pond. This should be suitable habitat for GCN.</li> <li>- Prior to the commencement of the development a Biodiversity Management Plan should be submitted. This should cover the proposed management for the new pond area and the proposed hedgerow to the north of the development.</li> <li>- Updated GCN surveys will be required if development does not commence before March 2020 (two years since previous survey).</li> </ul>	<p><b>Noted.</b></p> <p>During the course of the application, additional survey works have been carried out in relation to the pond and GCN.</p> <p>As the application is for outline permission only with access to be considered, the layout has not been finalised and therefore the comments/ conditions received from Ecology can be taken into consideration when designing the development at reserved matters stage.</p>
<p><b>Developer Contributions</b></p> <p><b>Civic Amenities</b></p> <p>In general residents use the closest Civic Amenity Site, at Melton. The Civic Amenity site at Melton will be able to meet the demands of the proposed development within the current site thresholds without the need for further</p>	<p><b>Noted.</b></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>

development and therefore **no contribution is required** on this occasion.

### Education

Sector	Number of Pupils generated by the development	Number of Pupils for forecasting purposes	Number of S106 funded places in area deducted
Primary	2.64	3	0
11-18	2.20	3	163
Primary Special			
Secondary Special			

#### Primary

The site falls within the catchment area of Gaddesby Primary School. The School has a net capacity of 210 and 193 pupils are projected on roll should this development proceed; a surplus of 17 pupil places after taking into account the 3 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

The site falls within the catchment area of Wreake Valley Academy. The Academy has a net capacity of 1482 and 1087 pupils are projected on roll should this development proceed; a surplus of 395 pupil places. A total of 163 pupil places are included in the forecast for these schools from S106 agreements for other developments in this area and have to be deducted. This increases the total surplus at this school to 558 pupil places.

There are no other 11-18 schools within a three mile walking distance of the development. **An education contribution will therefore not be requested for this sector.**

#### Libraries

The 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.

The proposed development is within 4.8km of East Goscote Library, which would serve the development site. The library facilities contribution would be **£330 (rounded up to the**

Concerns have been raised regarding capacity of the local school, however the County Council have not requested a contribution for education for this development.

<p><b>nearest £10).</b></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 the provision and enhancement of library services and resources most likely to be used by the estimated numbers of new users.</p> <p>The Leicestershire Small Area Population and Household Estimates 2001-2004 gives the settlement population for East Goscote at approximately 2,890 people.</p> <p>The proposed development at Pastures Lane, Gaddesby is likely to generate an additional 16 plus users and would require an additional 38 items of lending stock plus reference, audio visual and homework support material to mitigate the impacts of the proposed development on the local library service.</p>	
<p><b>Gaddesby Parish Council</b></p> <p>Object to the application and wish to support the comments made by the Gaddesby Community Group.</p>	<p><b>Noted.</b></p> <p>The comments made by the Community Group were also stated as individual comments made by the submission and have been included in the representations below.</p>
<p><b>MBC Housing Policy Officer</b></p> <p>As this site is proposing 11 units, it meets the threshold to provide affordable housing as per policy C4 of the emerging Melton Local Plan, 2011 – 2036 and in line with the Written Ministerial Statement, March 2015.</p> <p>The site is at Gaddesby, which is in value area 1 of Melton Borough - Melton Local Plan figure C4.1 The minimum % of affordable housing to be provided is 40%.</p> <p>As the application is for 11 units, this equates to 4.4 units. At present, at this is below 0.5 of a unit, this can be rounded down to 4 units.</p> <p>There is not a Neighbourhood Plan for Gaddesby parish at present so therefore cannot be considered in this assessment.</p> <p>Due to the lack of shared ownership/shared equity properties; the low number of entry level homeownership properties and the presence of some rented Council properties in Gaddesby and it's parish; I recommend for the 4 dwellings to comprise of:</p>	<p><b>Noted.</b></p> <p>The application form proposes that the 11 dwellings would be market homes, with the following break down:</p> <p style="padding-left: 40px;">4x2 bed 5x3 bed 2x4 bed.</p> <p>This proposed mix does not take into account the need to provide affordable housing. The layout plan as submitted is indicative only at present and therefore can be amended at reserved matters stage.</p> <p>Should permission be granted a S106 Agreement would be drafted to ensure that the appropriate amount of affordable housing is provided as part of the proposal.</p> <p>This would equate to four dwellings, with a break down of 2x2 bed shared ownership properties and 2x2 bed starter homes, all to be built to HQI standards.</p> <p>In addition to this, the housing market mix as</p>



<p>2 x 2 bed/4 person shared ownership properties 2 x 2 bed/4 person Starter Homes</p> <p>All built to HQI space standard.</p> <p>For the market housing, it meets the threshold (10+ units) to provide a mix of housing, as per policy C2 of the emerging Melton Local Plan 2011-2036. This will be for the remaining 7 units.</p> <p>To determine the recommendation on the housing mix, the housing mix table in the Housing Needs Study, 2016 and in the Local Plan, as part of the reasoned justification to policy C2 has been used. I recommend the following:</p> <p>3 x 3 bed houses 2 x 2 bed houses 2 x 4 bed house</p> <p>To align with the emerging policy C3, the market properties up to 3 bed in size will be particularly supported if they are built to the National Space Standard.</p>	<p>recommended is slightly different than that proposed by the applicant, with a greater number of three bed properties proposed.</p> <p>A condition would be added to any approval granted that would ensure the reserved matters provided for a mixed of types and sizes of dwellings that will meet the area's local market housing need.</p>
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**Representations:** - Representations of objection were received from 11 separate addresses. One of the objections received stated that it was an individual representation and also on behalf of the Gaddesby Community Group. A spreadsheet was also provided to the Council, with a list of 120 names, including addresses, email addresses and phone numbers, but no signatures.

<b>Representations</b>	<b>Assessment of Assistant Director of Planning and Regulatory Services</b>
<p><b>Sustainability</b></p> <ul style="list-style-type: none"> <li>The only facilities within the village are the Primary School, the Village Hall and the Cheney Arms Public House, all located at the entirely opposite southern end of the village.</li> <li>The site is not in walking distance of the local Primary School, based on Melton Borough Council's own criteria (over 800m).</li> <li>It cannot be argued that a development at the site is in a sustainable location, if public transport or a car is required to transfer from the proposed site to facilities at the</li> </ul>	<p>The application site is a proposed allocation in the emerging Local Plan. The emerging Local Plan has been through Examination in Public and the Council are currently consulting on main modifications to the plan, as suggested by the Inspector. These modifications do not affect the proposed allocation or of Gaddesby being classed as a "Rural Hub". Therefore it is considered that the village is a sustainable location for appropriate development.</p> <p>Due to the rural nature of the Borough and this village, in comparison to those villages identified</p>

other end of the village. Any development would be disconnected from the village, with facilities not even within walking distance.

- In relation to its impact on the economy and employment, development of the site is not sustainable, based on lack of local employment opportunity. Gaddesby in reality has extremely limited employment opportunities, these being restricted to the two employers in the village, the Primary School and The Cheney Arms Public House.
- The LP Site allocations and policies acknowledges the lack of employment in the village by stating 'The closest employment area is Rearsby Industrial Estate (3km) with some small individual employers close by. Most employment would be in Melton Mowbray, 7km away.
- Gaddesby is served by the Centrebus 100 between Leicester and Melton Mowbray throughout the week. In respect of this bus service however, '...its frequency (every two hours) and the lack of service on Sundays and Bank Holidays should be taken into account when the service is considered with regards to Gaddesby's sustainability. The first bus from Melton leaving at 7.26am and arriving in Gaddesby at 7.49am, doesn't arrive in Leicester (St Margaret's Bus Station) until 8.30am. The last bus leaving Leicester for Melton in the evening is at 17.10pm, arriving in Gaddesby at 17.50pm. These bus times are not regarded as viable for full-time employment in Leicester. The bus service to Gaddesby is far from 'a decent connection'. Gaddesby is served by a bus service inadequate both in terms of frequency and route to employment opportunities in the surrounding area.
- To suggest that the site is suitable for development on the basis of it being located within the vicinity of a bus stop is spurious at best. This tenuous justification is deemed largely irrelevant in any case, when acknowledging that the bus service is inadequate both in terms of frequency and route to employment opportunities in the surrounding area.
- The site is not located where there are sustainable travel options and consequently, the need to travel by car would actually be

as Service Centres, it is accepted that many residents of the village have to travel for employment and some facilities. However, on the basis of the facilities present in the village and the proximity of Gaddesby to a wider range of services and employment and other settlements, it is considered that it is a sustainable location for housing. This has also been the basis on which other housing proposals have been accepted in Gaddesby.

increased.

- It cannot be argued that a development is sustainable, if public transport or a car is required to reach the local School.
- The focussed changes document highlights the need to ensure school places are not exhausted; 'It will be important as part of the development plan process to ensure that existing schools do not become overloaded'. In respect of Gaddesby Primary School however, this would absolutely be the case. The School increased its intake of children from 15 per year to 25 per year in 2014 but with places in these years all filled, Reception and Years 1 and 2 are already at capacity. Within 3 years the school will be at total capacity. The application fails to make any reference to developer contribution to expand the school.
- The nearest convenience store is in East Goscote (3.8 miles away); it is not accessible via public transport from the village and is only open until 6.00pm. The nearest supermarket is in Syston (5 miles away), accessible by bus but only available during the day, once every 2 hours. The fact that these basic shopping facilities are so far away and realistically only accessible for vehicle owners, highlights the existing inadequacy of facilities in Gaddesby. The nearest GP practice and Dentist are also in Syston.
- Gaddesby village does not qualify for the Rural Hub status that it has been allocated, as it does not fulfil at least 3 of the 4 essential criteria. This objection reiterates again that Gaddesby cannot be considered as a 'Rural Hub' but as a 'Rural Settlement' only, with housing incorrectly allocated as a result. (1) Primary school; (2) Access to employment opportunities; (3) fast broadband; and (4) A community building)
- In respect of 'fast broadband', Gaddesby's phone exchange was 'upgraded' in 2016 as part of the "Super-fast" Leicestershire programme. It has added support for Fibre to the Cabinet broadband. There isn't a lot of choice of provider; the majority of residents are using BT. This broadband service is sold as "up to" 56Mbps download speed, which is more than adequate for an average modern home.
- At present there are 4 undeveloped sites

LCC Developer Contributions have not made a request for developer contributions for education as part of the application and consider that there is sufficient capacity at the school to accommodate the level of pupils generated by this proposal.

Gaddesby has a village hall, public house, school, church, access to public transport and fast broadband which has contributed to the Rural Hub status as given in the Local Plan.

<p>with planning permission for 21 dwellings, therefore Gaddesby is not to be devoid of development.</p> <ul style="list-style-type: none"> <li>No live/work units proposed or contribution to public transport, which may help with sustainability.</li> </ul>	
<p><b>Highways</b></p> <ul style="list-style-type: none"> <li>Development is not sustainable, based on the inadequacy of local highways to take the anticipated increase in traffic.</li> <li>The four supply roads in to Gaddesby village (Rearsby Lane, Rotherby Road, Pasture Lane and Ashby Road) are consistent with a rural settlement only.</li> <li>Rearsby Lane is the main access road for the village, connecting it and other through traffic to the A607. The road has a number of tight turns, practically no street lighting and very few pavements until the village is reached, where there is a pavement on one side only.</li> <li>Rotherby Road to the north of the village connects to the A607; this is a single width road for much of its length. It is not lit and comprises of many tight corners. Many residents of the village avoid using it for these reasons. Pasture Lane starts at a junction with Rotherby Road and alongside the site; it connects to the A607 close to Melton Mowbray. It is unlit and has a number of tricky corners. It is not uncommon to meet oncoming traffic on the wrong side of the road or going faster than the road should safely allow.</li> <li>All of these four connecting roads are popular with large groups of cyclists, horse riders and slow moving farm machinery / wide loads, which create further hazards and traffic restrictions. All four roads have a weight limit of only 7.5 tonnes further emphasising their low capacity. The village relies on these fours access points for all transportation and already suffers with volumes of traffic at peak times.</li> <li>Proposed development at the site would bring additional vehicles, given the lack of effective public transport. The proposed 24 additional vehicles would represent a huge increase for a small rural settlement. The proposed development would place significant further strain on an already inadequate local highways infrastructure.</li> <li>The two roads closest to GADD2</li> </ul>	<p>LCC Highways raise no objection to the proposed development on highway safety grounds (see comments above). The CHA consider that the proposed access onto Pasture Lane is appropriate. Further consideration of the development, including parking provision will be carried out at reserved matters stage.</p> <p>It is not considered that the proposed development would have a significant impact on highway safety or result in a significant increase in the number of vehicles using the highway network.</p> <p>Any issues relating to speeding and inconsiderate parking are not material planning considerations.</p>

(Rotherby Road and Pasture Lane) are both unsuitable for more than the occasional vehicle and certainly not suitable for any heavy vehicles such as buses and lorries. These roads are highly restrictive, dangerous in some weather conditions, and not capable of supporting additional vehicles. It is a falsehood to suggest '...low vehicle speeds at the intersection of Pasture Lane and Park Hill / Rotherby Road', this is not the case.

- The main access for properties at the northern end of the village is Pasture Lane. Main Street is often reduced to a single lane with overflow parking of pub patrons and also from the vehicles belonging to residents of Main Street who do not have off-road parking. Park Hill is as its name implies is a steep hill.
- There is only one footpath along Park Hill which is on the opposite (west) side to the main body of housing at Paske Avenue and Barrow Crescent and GADD2. When walking children to school parents have to cross the road to the footpath which is dangerous because of the speed of the traffic. There are also a number of concealed entrances along Park Hill. The Centrebus 100 service currently uses Paske Avenue to turn around and head back down Park Hill to continue its route. This creates a traffic risk, as Paske Avenue is a narrow road with many vehicles often parked on it and really unsuitable for large vehicles such as buses.
- Whilst it is acknowledged that existing highways problems cannot be resolved by new developments, neither should it be the case that new housing proposals make existing problems worse. The proposed development at the site would exacerbate existing problems.
- Pasture Lane is a country lane, used for riding, walking and cycling.
- Rotherby Lane/ Pasture Lane corner would be an accident waiting to happen.
- Pasture Lane is a lane, not a road.
- Congestion.
- Increase in on street parking.
- On road parking will affect access to property.
- Should not have access on Pasture Lane due to proximity to the junction.
- Main Street/ Park Hill currently used as a

It would need to be ensured that any reserved matters application provides sufficient off road parking for future occupants to prevent on street parking and the highway safety issues associated with this.

LCC Highways have not requested further

<p>rat run.</p> <ul style="list-style-type: none"> <li>• Pasture Lane is too narrow.</li> <li>• Need a traffic count.</li> <li>• Pasture land is used by farming vehicles.</li> <li>• Existing problem with buses getting stuck at the top of the village due to parking.</li> <li>• Contrary to paragraphs 30, 31, 32, 34 and 35 of the NPPF.</li> <li>• Application is for major development and need a transport statement/assessment as likely a significant amount of movements to be made.</li> </ul>	<p>information/ surveys and are satisfied with the proposed development.</p> <p>Whilst sustainable modes of transport should be encouraged (as per the NPPF), it is recognised that this will vary from urban to rural areas. Therefore due to the nature of the area, it is expected that there will be some usage of private transport, but there is also the ability to use public transport.</p>
<p><b>Flooding</b></p> <ul style="list-style-type: none"> <li>• The proposed development site would have a negative impact on flood risk. The site is known to be of heavy clay soil resulting in significant surface water retention and run-off. Development is likely to exacerbate this effect, potentially affecting neighbouring properties and biodiversity / geodiversity in turn.</li> <li>• Risk of flooding is no different than GADD3.</li> <li>• Whilst recognising that this is also a requirement of actual planning applications, there is no mention of any attempts to improve drainage facilities for existing properties, in acknowledgement of the impact additional housing allocation would cause. This potential risk has not been properly assessed.</li> <li>• May be surface water/ sustainable drainage issues with the site.</li> </ul>	<p>The LLFA have been consulted on the proposed application and raise no objection to the proposed development, subject to the inclusion of conditions.</p> <p>There is no requirement for a developer to be expected to improve the current drainage for exiting residents, but to ensure that the situation is not made worse by the proposed development.</p>
<p><b>Landscape/ Impact on village</b></p> <ul style="list-style-type: none"> <li>• The ‘Local Plan Appendix 1 Site allocations and policies’ acknowledges the impact of any further development on the northern fringe of Gaddesby village, stating that ‘The eastern part of the settlement has high landscape sensitivity, however ‘It is recognised that there are elements where sensitivity is reduced, due to intrusion by more modern development at the northern and southern fringes of the LCZ with the settlement. However, there is limited opportunity for mitigation through further development without further intrusion upon the parkland character of the landscape’</li> <li>• The Melton Borough Areas of Separation, Settlement Fringe and Local Green Space Study Part 2 (Aug 2016, p122), which states that ‘Skylines are open, with long</li> </ul>	<p>The site is a proposed allocated site in the emerging Local Plan and therefore the principle of development on this site has already been considered. When looking at sites for allocation, the proposal site has already been assessed for it’s suitability, including impact on the landscape, heritage, flood risk, transport and other related issues.</p> <p>Paragraph 115 of the NPPF states: <i>Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in</i></p>

<p>views out from rising topography towards the rolling topography that extends north and west. The open, predominantly undeveloped skylines are extremely susceptible to change.’</p> <ul style="list-style-type: none"> <li>• In respect of the impact on aesthetic and perceptual quality including landscape experience and tranquillity, the report goes on further (p123) to say that ‘The rural, peaceful character and intact landscape features that contribute to the intact cultural pattern would be susceptible to change.’ When summarising, the report concludes that ‘Overall landscape sensitivity of this LCZ fringe to residential development is medium to high, due to the sense of separation of the LCZ from the settlement edge and open landscape character. Open skylines associated with this LCZ and the intact landscape pattern to the east are susceptible to change...Due to the visual prominence of the landform associated with the ridgeline, sense of separation of the LCZ from the village and generally well integrated settlement edge there is limited opportunity to accommodate residential development within this LCZ.’</li> <li>• Only two of the proposed 11 plots (numbers 5 and 6) would be single storey, this is not deemed to be effective mitigation of the adverse impact on the landscape.</li> <li>• Any development at GADD2 would have a significant negative impact on the surrounding parkland landscape, beyond anything that could be effectively mitigated.</li> <li>• In respect of the impact on the spatial layout, development of site is not justified or appropriate. Gaddesby is a long, linear village, with the main thoroughfare of Main Street and Park Hill covering a considerable distance, linking the southern point with Ashby Road and the northern point with Pasture Lane and Rotherby Lane.</li> <li>• The site extends the settlement even further in a linear fashion, its location such that it is effectively disconnected from the rest of the village.</li> <li>• Should make the village more compact and round.</li> <li>• The disconnection of the site from the rest of the settlement is compounded by the fact that it is located north of Pasture Lane,</li> </ul>	<p><i>National Parks and the Broads</i>. This proposed site for development is not protected and therefore not afforded significant weight when considering the impact of the development on the landscape.</p> <p>The Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study (2016) indicates that the site is in LCZ 1 Gaddesby North. The assessment states: <i>Overall landscape sensitivity of this LCZ fringe to residential development is medium to high, due to the sense of separation of the LCZ from the settlement edge and open landscape character. Open skylines associated with this LCZ and the intact landscape pattern to the east are susceptible to change. It is recognised that there is a reduced level of sensitivity associated with the exposed edge to the west of Rotherby Road and in association with LCZ 4.</i></p> <p>In relation to development, the assessment advises:</p> <ul style="list-style-type: none"> <li>• <i>Large scale development is not appropriate in this open landscape and any development should have consideration of visibility of the settlement edge on the ridgeline, and detachment from the main settlement to the south of the ridgeline;</i></li> <li>• <i>Development should seek to achieve a gradation of density to the outer edges of the settlement; abrupt edges should be avoided;</i></li> </ul> <p>The Sustainability Appraisal Summary has stated: <i>No potential significant positive effects were identified for this site. Potential positive effects identified were in relation to SA objectives 1: housing, 2: education, 3: transport, 9: social inclusion and 15: reduction in greenhouse gases. Potential significant negative effects were identified in relation to SA objective 5: landscape and 8: efficient use of land resources. The site is identified as having medium to high sensitivity to residential development. The site is located in a gypsum mineral consultation area and the land is identified as agricultural land classification 3b. These issues will need to be considered in relation to the current and any future planning applications.</i></p> <p>It is considered that appropriate landscaping can be provided to “soften” the appearance of the development on the countryside. This can be included as part of the submission of the reserved</p>
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<p>which acts as a boundary to the village, with no other housing to its north or west and one property only to its east.</p> <ul style="list-style-type: none"> <li>• This side of Pasture lane affords a vista to the countryside.</li> <li>• Development will have a negative effect on character of settlement edge, topography, skyline, aesthetic and perceptual quality, including landscape experience and tranquillity, views and visual character.</li> <li>• Change from settlement to countryside is clear and distinct at this location. Development would blur this and adversely impact open landscape character.</li> <li>• Emerging Local Plan appendix acknowledges the impact of development to the North of Gaddesby.</li> </ul>	<p>matters application.</p> <p>The development is for outline permission only, with an indicative layout and therefore can be amended at reserved matters stage.</p> <p>The impact of the development on the settlement as a whole would have been taken into account when allocating sites for the emerging Local Plan.</p>
<p><b>Ecology</b></p> <ul style="list-style-type: none"> <li>• Development of the site would have a significant detrimental impact on biodiversity and geodiversity.</li> <li>• The site was selected without prior completion of any granular impact assessment on biodiversity or geodiversity.</li> <li>• Whilst recognising that this is also a requirement of actual planning applications, a site cannot reasonably be selected for development where such a review hasn't yet taken place, where the likely impacts on biodiversity and geodiversity were already clearly indicated. The application presents no protected species survey in support.</li> <li>• The selection of the site is in direct contradiction to the SA objective to conserve and enhance biodiversity and geodiversity in and around the Borough.</li> <li>• Impact on wildlife, especially the pond.</li> </ul>	<p>LCC Ecology have been consulted on the application and do not raise an objection to the development, subject to appropriate conditions and mitigation.</p> <p>During the course of the application, an additional survey for Great Crested Newts has been carried out, with the findings of this reported to the County Council. County Council Ecology raise no objection to the proposed development, subject to appropriate conditions.</p>
<p><b>Ridge and Furrow</b></p> <ul style="list-style-type: none"> <li>• Proposed development would have a significant detrimental impact on the cultural pattern of the landscape – there is a ridge and furrow system on the site. This is supported by the Melton Borough Areas of Separation, Settlement Fringe and Local Green Space Study and in the site assessments.</li> <li>• The existence of ridge and furrow systems has been sufficient to support removal of other sites proposed within the Melton Local Plan and even within Gaddesby itself.</li> <li>• One of the last ancient ridge and furrow</li> </ul>	<p>As previously stated, the suitability of the site for development has already been assessed when considering sites for allocation for the emerging Local Plan. It is considered that the principle of development on this site is acceptable.</p> <p>Evidence for the Local Plan has not identified any heritage assets on this site</p>



<p>fields in Gaddesby – back to Norman times and can't be replaced.</p> <ul style="list-style-type: none"> <li>• Development is not appropriate on the basis of its significant negative impact on heritage assets. The ridge and furrow field system has not been taken in to account nor its potential loss assessed. The selection of the site is in direct contradiction to Policy EN13A of the emerging Local Plan.</li> </ul>	
<p><b>Impact on residential amenity</b></p> <ul style="list-style-type: none"> <li>• Increase in noise, especially cars.</li> <li>• Loss of amenity – access proposed opposite property – headlights will shine directly into window.</li> <li>• Disproportionate in scale and house type.</li> <li>• Does nothing in respect of affordable housing.</li> <li>• Potential for overlooking from dwellings.</li> <li>• Flies in the face of planning guidelines and 9.4.11 and 9.4.18 of the emerging Local Plan.</li> </ul>	<p>The proposed access of the site needs to be in a position to allow adequate visibility splays. It is not considered that it would be appropriate to refuse the application on this basis.</p> <p>The application is for outline permission only with access for consideration. Therefore at present there are no details regarding the design of the dwellings to take into consideration or to be able to assess impact on nearby residents, in relation to height, position and location of windows.</p> <p>9.4.11 Relates to protecting amenity, stating that <i>development should not adversely affect neighbours and nearby uses and occupiers by reason of being overbearing, overlooking, loss of privacy, loss of light, pollution (including that from artificial light) and other forms of disturbance.</i> As the application is for outline permission only with access as a consideration, it is difficult to assess these impacts, however due to the separation of the site from other properties, it is not considered that the proposed development would have a significant detrimental impact on nearby occupier amenity.</p> <p>9.4.18 states that <i>development should be designed and located so that it is able to provide suitable access and can be accommodated without adverse impact on the local and wider highway network. Where on or off-site works are required to mitigate the transport impacts of development, the applicant will be required to demonstrate the impacts of these measures in ameliorating any problems, and that the scheme is technically possible and is viable. Development that would have severe residual cumulative impact on the highway network will not be permitted.</i> Consideration of the proposed development and related highways issues has been given above. Additionally, the CHA raise no objection to the proposed development.</p>
<p><b>Other</b></p>	

<ul style="list-style-type: none"> <li>• The Sustainability Appraisal states that ‘Residential development sites which are located on brownfield land will involve the reuse of previously developed land and may additionally present opportunities for the reuse of buildings and recycling of materials already onsite.’ The site is less appropriate for development than other sites located on brownfield land.</li> <li>• To suggest that ‘The village has been categorised as a service centre, providing the required facilities to support additional housing development’, is factually incorrect. Gaddesby is not a Service Centre, it is currently a Rural Hub.</li> <li>• Decision should be delayed until the Inspector has deliberated the Gaddesby Community Group representation on the Local Plan. Not to delay the decision would be damaging to the village and challengeable.</li> <li>• Understand that the Inspectors report is due and that if the Inspector agrees with the Community Group, then the site/development is unsustainable.</li> <li>• Paske Avenue was developed due to an urgent need in the 60s – disused wartime hutment, development was situated here for a reason.</li> <li>• Space for housing at the bottom of the village (south of Ashby Road) but also smaller sites to the North.</li> <li>• Main sewers can’t cope.</li> <li>• Development makes inefficient use of land and materials – land is agricultural Grade 3a and is in a gypsum mineral consultation area.</li> </ul>	<p>The Main Modifications document has not made any changes to the site allocation of GADD2 which would affect the determination of this application.</p> <p>Gaddesby has been classed as a “Rural Hub” as part of the emerging Local Plan and therefore it is considered that this development is appropriate in the village.</p> <p>Each case is determine on its own merit, the application for consideration affects this proposed site and it is not for the decision maker to decide if there are more appropriate sites, as this is the site which has been presented for development.</p> <p>The Inspector has suggested main modifications to the plan which have been accepted by the Council. These modifications do not affect the proposed site allocation GADD2 or the classification of Gaddesby as a Rural Hub.</p> <p>The previous development of Paske Avenue and need in the 1960s is not relevant to this application.</p> <p>It is for the developer to ensure that there is appropriate capacity for utilities.</p>
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<b>Consideration</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Application of Planning Policy</b></p> <p>The NPPF advises that proposed development that accords with an up-to-date Local Plan should be approved, <b>and proposed development that conflicts should be refused unless other material considerations indicate otherwise.</b></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</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>Gaddesby is considered to perform reasonably well in sustainability terms.</p> <p><b>5 year land supply issues:</b></p>

<p>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 Council’s most recent analysis shows that there is the provision of more than 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><b>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.</b> 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><b>The (new) Melton Local Plan – Submission version.</b></p> <p>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"> <li>● the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);</li> <li>● 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</li> <li>● the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).</li> </ul> <p>The Submission version of the Local Plan identifies Gaddesby as a Rural Hub in respect</p>	<p><b>The Local Plan has progressed through examination stage and the Main Modifications are currently out for consultation.</b></p> <p><b>The relatively minimal amount of work required to complete the local plan modifications that do not impact upon the main policies of the plan means the plan can be afforded significant weight.</b></p> <p>The site is identified for housing purposes in the Emerging Local Plan and referenced as GADD2.</p> <p>The summary assessment of this site states: The site is situated in the northern edge of the village and therefore slightly detached from the limited services that the village provides. Its access via either of two well-connected roads and the proximity to the bus stop makes this site a suitable allocation for housing.</p> <p>There is no site specific policy for this site, however the emerging Local Plan states that: Further development of site GADD3 and GADD2 will be supported only when local educational capacity is available, or can be created through developer contributions, to meet the needs of the</p>

<p>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> <ul style="list-style-type: none"> <li>1 A mix of dwellings in accordance with Policy C2;</li> <li>2 Affordable housing in accordance with Policy C4;</li> </ul>	<p>site. In the consultation responses above, an education contribution has not been requested by Leicestershire County Council.</p> <p>The site is identified for housing purposes in the Emerging Local Plan for an <b>estimated capacity</b> of 11 dwellings.</p>
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<p>3 The necessary infrastructure required to support development in accordance with Policy IN1 and IN2; and</p> <p>4 High quality design in accordance with Policy D1.</p> <p>5 The requirements as set out in Appendix D1</p> <p><b>Gaddesby Neighbourhood Plan</b></p> <p>No Neighbourhood Plan has been published and as such cannot be a consideration in this instance.</p>	
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## 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. As a proposed allocated site in the emerging Local Plan, this site contributes to that position.

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. Gaddesby is considered to be a sustainable location having access to a primary education, village hall, public house and a bus service. It is considered that these are material considerations that weigh in favour of the application. In addition to this, the application site forms GADD2, a proposed allocated site in the emerging Local Plan and will help to deliver housing in the Borough.

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, the impact on the character of the rural village, highways concerns and ecological concerns.

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, taking into account that the site is an Allocated site in the emerging Local Plan. The balancing issues – development of a green field site and impact upon character and landscape 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 S106 for the following:**

- (i) A contribution for Leicestershire County Council Libraries, as set out in the report above.
- (ii) 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.

**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 "layout, scale, external appearance of the buildings and the 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. A Great Crested Newt mitigation plan must be submitted in support of the reserved matters application. This must include the mitigation required for the creation of a new pond to the north of the development and the removal of the pond adjacent to Pasture Lane.
5. As part of the reserved matters submission, a landscaping plan should be submitted, detailing the proposed landscaping in the area of the new pond. This should be suitable habitat for Great Crested Newts.
6. Prior to the commencement of the development a Biodiversity Management Plan should be submitted. This should cover the proposed management for the new pond area and the proposed hedgerow to the north of the development.
7. Should the development not commence before March 2020, an updated Great Crested Newt survey will be required to be submitted to and approved by the Local Planning Authority.
8. Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 5 metres, a gradient of no more than 1:12 for a distance of at least 5 metres behind the highway boundary and shall be surfaced in a bound material with a 6 metre kerbed radii. The access once provided shall be so maintained at all times.
9. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 43 metres have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.
10. No part of the development hereby permitted shall be occupied until such time as 2.0 metre by 2.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.
11. 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.
12. 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.

13. 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.
14. 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.
15. 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.
16. 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.

**Officer to Contact: Mrs J Lunn**

**Date: 13<sup>th</sup> July 2018**