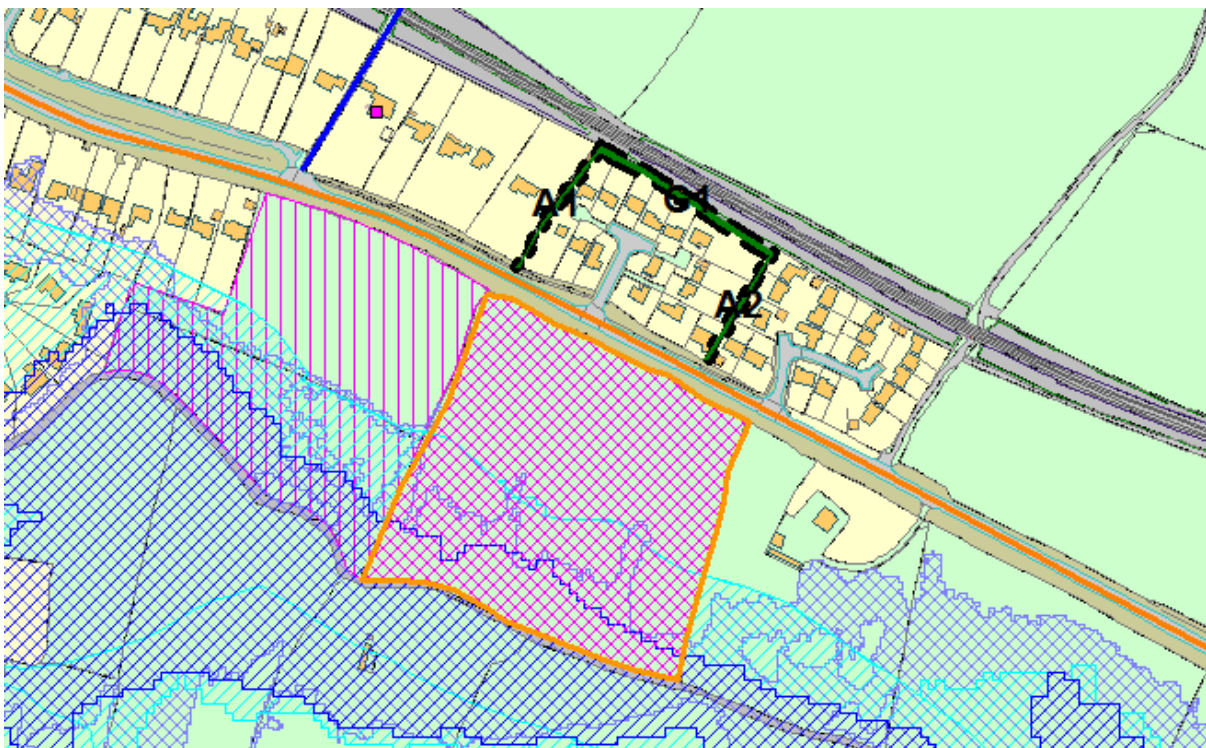


Reference: 18/00632/OUT
Date Submitted: 25.5.2018
Applicant: Penland Estates Ltd
Location: Field 6967, Grantham Road, Bottesford
Proposal: Residential development for up to 60 dwellings with access from Grantham Road and associated drainage infrastructure and public open space.



Introduction:-

The application seeks outline planning permission for up to 60 dwellings. The details of the access have been submitted for approval at this stage, with all other details reserved subject to a reserved matters application.

The application site is a current greenfield site, located to the East of the village of Bottesford. It is proposed that access will be taken from Grantham Road, to the North of the site. The application site forms part of the proposed allocated site BOT2 in the emerging Local Plan, along with recently permitted 17/01577/OUT.

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**

- **Drainage/flooding issues**
- **Highway safety**
- **Sustainable development**
- **The role of the emerging Local Plan.**

Relevant History:- There is no relevant planning history associated with 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 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

National Planning Policy Framework

The revised NPPF was published on 24th July 2018. Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. In doing so, the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

- An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

- An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Plan and decisions should apply a presumption in favour of sustainable development. For decision taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. 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.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Other relevant policies in the NPPF relevant to this application include:

Delivering a sufficient supply of homes

- To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

Promoting healthy and safe communities

- To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
 - a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Promoting sustainable transport

- The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- Within this context, applications for development should:
 - a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles.

Making effective use of land

- Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- Planning decisions should:
 - a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside
 - b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- Planning decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

Achieving well-designed places

- The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this
- Planning policies and decisions should ensure that developments:
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Meeting the challenge of climate change, flooding and coastal change

- The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- New development should be planned for in ways that:
 - a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
 - b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.
- Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.
- When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁵⁰. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
 - a) 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;
 - b) the development is appropriately flood resistant and resilient;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan
- Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.

Conserving and enhancing the natural environment

- Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- When determining planning applications, local planning authorities should apply the following principles:
 - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;

Consultations:-

Consultation Reply	Assessment of Assistant Director of Strategic Planning and Regulatory Services
<p>Highways Authority</p> <p>The Local Highway Authority advice is that, in its view, the residual cumulative</p>	

impacts of development can be mitigated and are not considered severe in accordance with the NPPF, subject to the Conditions and Contributions as outlined in this report.

Site Access

Access to the site is proposed off Grantham Road. The applicant has provided Proposed Access Arrangement and Visibility drawing which shows a 5.5m wide access with 2.4m x 160m visibility splays. The proposed access is located within a 40mph speed limit where 85th percentile speeds are recorded as 50mph eastbound and 47.3mph westbound. **The LHA is satisfied that the visibility splays are appropriate given the 85th percentile speeds in the vicinity of the site access.**

Proposed Vehicle Tracking - Refuse Vehicle drawing has been submitted to demonstrate appropriate tracking of refuse vehicles entering and exiting the site in forward gears only.

Highway Safety

The Transport Statement (TS) submitted by the applicant refers to collision data obtained via CrashMap for the five year period 2013 to 2017.

The LHA has reviewed the Personal Injury Collision (PIC) data in this area covering the most recent five year period between January 2013 and December 2017 and the current year to date. No PIC's have been recorded on Grantham Road within this time. The TS states that two PIC's have occurred within the village centre; one 'serious' collision on Nottingham Road in 2014 and one 'slight' at the junction of Orston Lane/Loughborough Lane in 2016. Neither collisions involved pedestrians nor did they occur in peak periods. The TS also identifies that 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 LHA has studied and verified the submitted TRICS data within the Transport Statement which shows the development is likely to generate approximately 35 two way

Noted comments received by LCC Highways.

trips in the AM peak and 33 two way trips in the PM peak which is considered to be acceptable. These have been split 47/53 and 50/50 in the AM and PM peak periods, west and eastbound 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

The LHA note paragraph 4.5 of the submitted TS which states "pedestrian access would be facilitated at the site by the provision of a new section of footway along the southern edge of Grantham Road, which ties in to the footway proposed by the adjacent site".

The adjacent site is currently awaiting determination of an outline application of up to 40 residential dwellings under planning application 17/01577/OUT; the LHA has requested that should the development proposal be permitted, a condition is imposed securing the delivery of a footway linking the site to the existing footway at Easthorpe View.

Such provision is required 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. The footway would be required prior to occupation of the first dwelling and can be delivered via a condition .

Notwithstanding the appropriateness of the submitted visibility splays, the speeds in this location are considered to be too high for the environment. As such, mitigation is required in order to reduce the speeds in the vicinity of the site access and the LHA therefore seeks to condition the submission and delivery of an appropriate traffic calming scheme.

Internal Layout

As the internal layout of the site is not to be determined as part of this application, the residential road layout and parking arrangements have not been checked in detail.

Outline planning permission has now been granted for the proposed development on the adjacent site (subject to completion of s106)..

The submission of a traffic calming scheme can be secured via a condition.

The plans submitted are indicative only and this would be assessed as part of a reserved matters application.

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.

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.

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.

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.

In addition to this, in order to encourage sustainable travel, the LHA advises the applicants provide travel packs and offer 6 month bus passes to new residents as outlined in the S106 contributions below.

Conditions

- 1) No occupation until the access arrangements 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.
- 2) Notwithstanding the submitted plans, the proposed access shall have a gradient of no more than 1:20 for a distance of at least 5 metres behind the highway boundary and shall be maintained at all times.
- 3) No occupation until a pedestrian footway, including dropped kerbs where necessary, along Grantham Road linking the site to the

It is considered that the proposed conditions as requested by the Highways Authority are appropriate and meet the NPPF tests.

<p>existing footway at Easthorpe View has been provided.</p> <p>4) Submission of traffic construction management plan.</p> <p>5) No occupation until site drainage details have been provided and approved.</p> <p>6) The new vehicular access 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.</p> <p>7) Details of traffic calming scheme.</p> <p>Contributions</p> <p>1) To comply with Government guidance in NPPF the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:</p> <p>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 and approved in writing by LCC which may involve an administration charge.</p> <p>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).</p> <p>c) Raised kerb provision at the nearest two bus stops at a cost of £3,500 per stop to support modern bus fleets with low floor capabilities.</p> <p>Informatives also included.</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> <p>Contribution requests can be included in the associated S106 with the application.</p>
<p>LLFA</p> <p>The proposed development would be considered acceptable to Leicestershire County Council as the LLFA, subject to conditions to cover the following.</p> <ul style="list-style-type: none"> • Surface water drainage scheme. • Management of surface water on site during construction. • details in relation to the long-term 	<p>Noted.</p> <p>It is considered that the conditions as requested by the LLFA area appropriate and will be considered in the decision.</p>

<p>maintenance of the sustainable surface water drainage system.</p> <ul style="list-style-type: none"> • 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. <p>Notes to applicant also included.</p>	
<p>LCC Ecology</p> <p>The Ecological Appraisal submitted with the application (FPCR, January 2018) identified the site as comprising “improved grassland”. We are concerned with this survey as it was completed at a suboptimal time of year when it is very difficult to make an adequate assessment of grasslands.</p> <p>Ecology accept that the grassland is not of high botanical diversity as it was assessed as part of a parish-wide survey in 2010 as being “species-poor semi-improved” grassland. The boundary hedgerows and the River Devon were assessed as having some ecological interest and recommendations are made in the report to retain these features.</p> <p>No evidence of protected species were found on site and the site was generally considered to be of a low potential to support protected species. The River Devon had potential to support otter and water vole and it is therefore important that this is adequately buffered from the development.</p> <p>The current proposed masterplan provides some open space to the south of the site and retains the boundary hedgerows. We welcome this in principle, but are concerned that the plots on the east and west boundaries appear to be immediately adjacent to the hedgerow; we would request that these are realigned to provide a 5m buffer of semi-natural vegetation in order to retained the hedgerow and allow for management. Buffers to countryside hedgerows also often are better for landscaping the site.</p> <p>As discussed in our response to the adjacent application (17/01577/OUT) the adjacent site is of ecological value and in order for this to be developed compensatory habitat will need</p>	<p>Noted.</p> <p>The application is for outline permission at present and the reserved matters application could be designed to take into account the concerns raised by LCC Ecology. An informative is proposed which will highlight the requirement for the buffer to be incorporated into the design of the development.</p> <p>It can be conditioned to require this area to the south of the built up area is planted with appropriate species as part of a landscaping plan.</p>

<p>to be created; this is proposed to the south of the housing. There would therefore be value in creating habitat to the south of this application site, to make a larger more robust area. I would therefore recommend that the southern half of the POS is planted and managed as a species-rich meadow. This will increase the amount of good habitat along the River corridor in the area. Additionally, we would recommend that the SUDs pond is designed to hold some water at all times of year. All planting of the pond should comprise locally native species.</p>	
<p>LCC Developer Contributions</p> <p>Civil Amenities</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>Education</p> <p>This request for an education contribution is based on 60 houses and 0 flats/apartments with two or more bedrooms. No claim is made on one bedroom dwelling.</p> <p>Primary</p> <p>The site falls within the catchment area of Bottesford C of E Primary School. The School has a net capacity of 315 and 276 pupils are projected on roll should this development proceed; a surplus of 39 pupil places after taking into account the 18 pupils generated by this development.</p> <p>There are currently no pupil places at this school being funded by S106 agreements from other developments in the area.</p> <p>An education contribution will therefore not be requested for this sector.</p> <p>Secondary</p> <p>The site falls within the catchment area of Bottesford Belvoir High School. The School</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>

has a net capacity of 650 and 735 pupils are projected on roll should this development proceed; a deficit of 85 pupil places. A total of 2 pupil places are included in the forecast for this school from S106 agreements for other developments in this area and have been deducted. This reduces the total deficit for this school to 83 (of which 72 are existing and 11 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 £179,119.22. Based on the table above, this is calculated the number of deficit places created by the development (10.02) multiplied by the DFE cost multiplier in the table above (£17,876.17) which equals **£179,119.22**.

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 and Special Schools

No contribution required.

Libraries

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.

The proposed development on Grantham Road Bottesford is within 1.1km of Bottesford Library on Grantham Road, being the nearest local library facility which would serve the development site. **The library facilities contribution would be £1,810 (rounded up to the nearest £10).**

It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for stock resources e.g.

The S106 Agreement associated with this application can include the requested contributions for a total of £179,119.22 for education and £1,810 for libraries.

<p>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 are currently three other obligations under BOT001 that have been submitted for approval. Subject to change due to future priorities of the library service.</p> <p>The request is based on the following formula for library facilities contributions</p> <p>1 bedroom houses/apartments @ £15.09 per house/apartment 2+ bedroom houses/apartments @ £30.18 per house/apartment 1 bedroom student dwelling @ £10.06 per house/apartment</p>	
<p>LCC Forestry</p> <p>The Arboricultural Survey submitted in support of the application is a fair and reasonable representation of trees on and adjacent to the site. It would be reasonable for Melton Borough Council (MBC), the site developer and any construction agents or contractors to pay notice to the report. I would strongly advise that guidance and comments found in the assessment be adhered to and followed. It is anticipated that the Arboricultural Impact Assessment and specific Method Statement, which are required in accordance with BS 5837, will be submitted at later stages of the planning process.</p> <p>The proposed site layout plan indicates that a vast majority of the trees recorded in the survey will be retained. The site layout plan also sets out proposals for new tree planting – further details regarding new trees would be expected as part of a landscape plan.</p> <p>The Arboricultural Survey highlights a number of trees which could reasonably be removed as part of the development, e.g. those marked as “U – undesirable (red on plan)”. At least five of the trees may conceivably be outside of the site boundary and located within the adopted highway extent of Grantham Road, as managed by Leicestershire County Council (T1 – ash; G11 – ash). The precise location and ownership of these trees should be established prior to further consideration for removal, as consultation with the owner may be required.</p>	<p>Noted.</p> <p>A landscaping condition can be included in the decision.</p> <p>This would be an issue for the developer and County Council to resolve between the two parties. Conditions requiring ‘details of landscaping’ can be attached to any permission granted which in turn will require that trees to be retained and removed are identified. This would ensure their amenity value (as opposed to ownership issues) remain controlled by the planning process.</p>

The proposed access road between site and Grantham Road will require the removal of a proportion of the site hedgerow, as well as some of the vegetation on the County Council managed verge. The access will also require that a proportion of highway vegetation is removed to increase visibility splays at road junctions. Suitable comments regarding the proposed access have already been made by Environment & Transport at Leicestershire County Council (LCC). Further to those comments it would be reasonable for the developer to consider the following:

- Vegetation in the verge is of a nature where significant ongoing maintenance will be required to ensure that visibility splays are kept free of obstruction.
- The vegetation does not currently present an obstruction to visibility, as the site currently stands. However, a change in site use will create a requirement for a greater level of involvement by LCC (i.e. a need for more intensive cutting of vegetation to keep visibility splays clear).
- It would be reasonable to consider consultation with LCC to remove a vast majority of the vegetation (predominately blackthorn and other scrub) and to provide a row or specimen replacement trees. This would not only resolve a majority of issues surrounding visibility splays but would also create a landscape feature which would be of benefit to the site and residents of Bottesford.
- **Such considerations and consultations would be a matter for the developer and LCC as part of a section 184 permit/section 278 agreement.**

In the event that the development is to proceed, and that trees are to be retained; I would strongly advise that adequate protective fencing is installed around retained trees before any site works or further ground preparation commences – such measures are indicated with the Arboricultural Survey and on the Constraints Plan submitted. Failure to afford the trees adequate protection can result in irrevocable damage being caused to trunk, branch, nutrient rich soils and the tree's delicate root system. Excessive damage can cause trees to become unstable and/or decline in health, which may then require that they be removed. To mitigate for potential tree

As part of any S106 agreement, details of ongoing maintenance regarding this can be agreed.

Protective fencing during construction can be secured by a condition.

<p>damage MBC should place onus onto the developer though formal conditions. A possible approach would be for the developer to engage an independent arboricultural specialist, at the developers' expense. This could be the arboricultural specialist already used to compile the tree survey, local tree warden or a separate appropriately accredited independent expert.</p>	
<p>LCC Archaeology</p> <p>The Geophysical survey of the site has revealed the possibility of Paleoenvironmental and prehistoric deposits within the development site.</p> <p>The preservation of archaeological remains is, of course, a "material consideration" in the determination of planning applications. The proposals include operations that may destroy any buried archaeological remains that are present, but the archaeological implications cannot be adequately assessed on the basis of the currently available information. Since it is possible that archaeological remains may be adversely affected by this proposal, we recommend that the planning authority defer determination of the application and request that the applicant complete an Archaeological Impact Assessment of the proposals.</p>	<p>Noted. Following the receipt of these comments, trail trenching has been carried out at the site and a report had been submitted. At the time of writing the report, no further comments had been received from LCC Archaeology. Any further comments will be reported to the committee.</p>
<p>Network Rail</p> <p>No objection in principle to the development, but below are some requirements which must be met,</p> <p>Given the size and proximity of the development in relation to the railway it is considered that there may be significant impacts on Bottesford railway station and we are pleased to note that the Transport Assessment highlights use of the station as part of its assessment. It is therefore appropriate that a contribution is sought from the developer towards station facility improvements. This could include improvements to cycle parking facilities, passenger waiting and information facilities. We are happy to discuss possible improvements to the station with the Council as part of any S106 package as the application is processed.</p>	<p>Noted.</p> <p>Network Rail had been contacted following the receipt of these comments to ask if they could provide further information regarding the S106 request and provide CIL compliant evidence to support this. To date, no further correspondence has been received from Network Rail.</p>
<p>Environment Agency</p> <p>We have reviewed the submitted documents and as currently submitted the Environment</p>	<p>Noted.</p>

<p>Agency has no objections to the proposals. However, the area of land within the southern portion of the red-line boundary is situated in Flood Zones 2 and 3, and therefore any changes to the plan resulting in the erection of dwellings in this area may result in an Environment Agency objection</p>	<p>The area to the south of the site is proposed to be retained as open space and to enhance biodiversity.</p>
<p>MBC Building Control</p> <p>The scheme is for outline but overall the layout appears satisfactory for both Fire and Refuge appliances.</p>	<p>Noted.</p>
<p>MBC Housing Policy Officer</p> <p><i>Total dwellings – 60</i> <i>Affordable Housing contribution at emerging Local Plan level – 19. 2 (32% as the site is in value area 2). Rounded down to 19.</i> <i>Affordable housing for rent – 15</i> <i>Affordable home ownership – 4</i></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. The Melton Borough Council Housing Needs Study (HNS, 2016) examines housing need at a more detailed ward level and has found a c.5% need for starter homes, which can fall within the affordable home ownership tenure.</p> <p>Recommendations for the <u>affordable housing mix</u> are as follows: Affordable housing for rent: 6 x 2 bed/4 person houses 2 x 2 bed bungalows 4 x 3 bed/5 person houses 2 x 3 bed bungalows 1 x 4 bed/6 person bungalow Total: 15</p> <p>Affordable Homeownership: 4 x 2 bed houses Total: 4</p> <p>Recommendations for the <u>market housing mix</u> are: 12 x 2 bed houses 4 x 2 bed bungalow 14 x 3 bed houses 4 x 3 bed bungalow 7 x 4 bed houses Total: 41</p>	<p>Noted comments received.</p> <p>The housing cascade for Bottesford is as follows:</p> <p>This cascade is to be dealt with in order of priority eg. i. first, then ii etc.</p> <ol style="list-style-type: none"> i. Has, immediately prior to occupation, been ordinarily resident within the Parish of Bottesford for at least a 12 month period; or ii. Resides in either the Parish of Barkstone, Plungar and Redmile or in the Parish of Belvoir; or iii. Has formed any strong connection with the Parish of Bottesford; or iv. Is a person who resides in the Borough of Melton but outside the town Melton Mowbray; or v. Is a person from the Borough of Melton and in housing need. <p>A ‘strong connection’ for this purpose must give regard to:</p> <ul style="list-style-type: none"> • Immediate family associations, limited to parent, sibling or adult child, within the Parish of Bottesford, the Parish of Barkstone, Plungar and Redmile or in the Parish of Belvoir; • Prior occupation within the Parish of Bottesford for a minimum of 3 out of the 5 years prior to occupation; • Permanent employment or an offer of employment in the Parishes of Bottesford, Barkstone, Plungar and Redmile or Belvoir; • At least one member of the household needs to move within or close to the Parishes of Bottesford, Barkstone, Plungar and Redmile or Belvoir to be close to relatives or other persons to provide or receive significant amounts of care and support. <p>It is proposed that the S106 Agreement associated with the application can secure the amount of affordable housing requested and an appropriate mix of housing.</p>

<p>A local connection cascade would need to be applied on this application for the affordable housing, as per the separate attachment. It is recommended that the affordable housing is built out to Housing Quality Indicators (HQI) standards and that the market housing for properties up to and including 3 bedroom properties are built to the National Space Standards.</p>	
<p>Bottesford Parish Council</p> <p>The Parish Council object for the following reasons:</p> <ul style="list-style-type: none"> -that the site on the South of Grantham Road should be treated as one co-ordinated and coherent development as it was outlined in Melton's own Local Plan just over 8 weeks ago. -because of the contamination across the broader site is likely to be an issue for new residents, current residents of the neighbouring houses, or the fields and river to the South. -the cost of the contamination will likely have an impact on the number of affordable homes and the planning application should be as one site. 	<p>Noted comments received.</p> <p>Issues relating to the content and status of the emerging Local Plan are addressed below. It should be noted that the Environment Agency have not raised any objection to the proposed development or require any conditions in relation to contaminated land.</p> <p>This part of the site is not part of the historic landfill, however the applicant has provided supporting information in relation to potential contamination on the site. It is proposed that a condition will be included to ensure that works are carried out in accordance with recommendations contained within the report.</p> <p>The applicants have confirmed that the requisite level of affordable housing (32%) can be provided (see above).</p>
<p>NHS England</p> <p>The development is proposing 60 dwellings which, based on the average of 2.4 people per dwelling for the Melton Borough Council area, would result in an increase in patient population of 144.</p> <p>This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.</p> <p>To mitigate the effects of this development, the s106 funding would go towards The Welby Practice.</p> <p>The Welby Practice would use the s106 money to redesign and modernise the practice. This would allow them to work at scale across their sites, allowing for greater flexibility to accommodate additional patients and enabling the practice to offer a wider range of services,</p>	<p>Noted the comments received. The contribution request of £26,640 can be included in the S106 agreement associated with the application.</p>

<p>all of which will benefit the growing population. This work would include, but not be limited to, redeveloping the administration areas and the creation of additional clinical space..</p> <p>The contribution requested for the development is £26,640 (£444 x 60 dwellings.)</p>	
<p>Sport England</p> <p>Comments awaited</p>	<p>No further comments were received from Sport England in relation to the application. The proposed development would not result in the loss of any playing field or sports facility.</p>

Representations:-

A site notice was posted and neighbouring properties consulted. One representation in objection to the application has been received, which has been considered below.

Representation	Assessment of Assistant Director of Strategic Planning and Regulatory Services
<ul style="list-style-type: none"> • Outline permission has been granted for 40 dwellings on the Old Tip Field so allowing 60 on this site would far exceed the planned numbers. • Estimated capacity of BOT2 at 65 dwellings, reduced from 102, the total number should not exceed 65. • Over 100 homes at the entrance to the village would not be in keeping with the rural appearance of the area – would give an urban feel to the village approach. • Low level bungalows/dormer bungalows would create far less of an impact. • Although in outline, object to tandem parking as illustrated as people are generally unwilling to park behind one another as it is inconvenient and residents park on the roadside. 	<p>Noted comments received in objection to the application.</p> <p>The capacity number given in the emerging Local Plan is an estimated number only and it not a fixed amount, a minimum nor a maximum. The indicate layout shows how the number of houses proposed up top 60) could be satisfactorily be accommodated on the site.</p> <p>It is considered that the proposed development can be designed taking into account the landscape and the location of the site at the entrance of the village and that appropriate landscape and mitigation can be provided.</p> <p>As the application is for outline permission only, details of the proposed design of the development, including parking and design of the dwellings would still need to be finalised and agreed at reserved matters stage.</p>

Other Material Consideration	Assessment of Assistant Director of Strategic Planning and Regulatory Services
<p>Application of planning policy</p> <p>Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development and advises that where there are no relevant development plan policies,</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>or the policies which are most important for determining the application are out of date, a Local Planning Authority should grant permission unless: the application of the policies in the NPPF that protect areas or assets of particular importance provide a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.</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>Paragraph 47 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted or made prior to its publication. .Due weight should be given to them, 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 1999 is considerably out of date in terms of its compatibility with the NPPF. The NPPF is therefore considered to form the policy basis for decision making in this instance.</p> <p>The proposal complies with the NPPF and saved policies of the Local Plan in terms of principle, being located within a sustainable settlement and constituting sustainable development.</p>
<p>Emerging Local Plan</p> <p>The new local plan has now completed Examination and the Inspector has recently received comments on Modifications. Only her final decision remains before the Plan can be adopted.</p> <p>It is stated in paragraph 48 that:</p> <p>Local planning authorities may give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) 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 c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). 	<p>The Local Plan has progressed through examination stage and the Main Modifications consultation has concluded.</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 means the plan can be afforded significant weight.</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.

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.

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;

- 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 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

The site specific policy for BOT2 states: Policy BOT 2: Development of the site reference BOT 2 will be supported provided:

- The potential for contamination has been investigated and mitigation measures have been put in place;
- flood mitigation measures have been put in place and the drainage infrastructure is available to accommodate the surface water from this site;
- the development addresses the frontage to Grantham Road and has an active road frontage on the approach to the village;
- the land to the southern boundary of the site is enhanced as a wildlife/biodiversity corridor and that there will be no adverse impact to any protect species;
- the south and east boundaries are sensitively treated with the addition of ‘soft’ attractive edging, additional landscaping and

The application site forms part of the proposed allocated site BOT2.

The site is identified for housing purposes in the Emerging Local Plan for an estimated number of 65, this application proposes 60 dwellings and would combine with the adjacent land to the east to complete the allocation. The estimated capacity of the site (65) is not a prescribed quantity or upper limit. The site is capable of meeting all of the design criteria of ‘BOT2’. However the site layout does not show an integrated approach with the remainder of the allocated area and the Committee is invited to impose consider whether this should be achieved (through conditions or provisions within a s106) in order to satisfy this element of the emerging Policy BOT2 (a similar approach was included for the adjacent land to require the developments to link and integrate).

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.

As part of the permission, a condition can require that an appropriate mix of housing will be provided on the site.

<p>sensitive boundary treatments.</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>Proposed Design</p> <p>The application is for outline permission only for up to 60 dwellings, with access for consideration, however an indicative layout has been provided in support of the application. This indicates that the land in the Southern portion of the site will form part of the Public Open Space and SUDS (including pumping station). No formal play equipment has been indicated in the application.</p>	<p>Although no formal play area is proposed, as part of planning permission 17/01577/OUT on the adjacent part of the site, the requirement of a formal play area has been conditioned. Additionally, it was proposed by the Committee that a condition be included that a link be provided through the two portions of the site, which would provide access to the formal play area. Additionally, the area to the South would form a large informal play space and there are other play facilities in Bottesford.</p>
<p>Contamination</p> <p>The adjacent site has been identified as a historic landfill site, however this site does not fall into this classification. As part of the supporting documentation with the application, a Phase I Desk Study has been submitted, which has recommended the undertaking of a Phase II ground investigation and an allowance to be made for:</p> <ul style="list-style-type: none"> • A suitable capping system in all soft landscaped areas impacted by the adjacent site. • Gas protection measures comprising under floor venting (i.e. beam and block floors) and methane barrier membrane fully sealed around service entries and extended across cavities. • Minimisation of arising's close to western boundary should cross contamination have occurred. <p>The Environment Agency has not raised any concern in relation to contamination for this development.</p>	<p>Notwithstanding the lack of objection regarding contamination, it is considered appropriate to include conditions regarding contamination.</p>
<p>Sequential test</p> <p>Paragraph 158 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</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>

there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

The dwellings proposed are located in flood zone 1, with the southern part of the site (proposed open space and SUDs) is located in flood zones 2 and 3. Paragraph 118 of the NPPF states that decisions should “recognise that some undeveloped land can perform many functions, such as for wildlife, **recreation, flood risk mitigation**, cooling/shading, carbon storage or food production;”

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.

Recommendation: PERMIT, subject to:-

- (a) The completion of an agreement under S106 for the quantities asset out in the above report to secure:
 - (i) Contribution for the improvement to library facilities.
 - (ii) Contribution to secondary education provision.
 - (iii) Contribution to sustainable transport options.
 - (iv) Contribution to maintenance of open space
 - (v) The provision of affordable housing, including the quality, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs.

(vi) Contribution to the expansion of health service facilities in the area

(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 Proposed Access Arrangement and Visibility drawing number GRB-BWB-GEN-DR-TR-100_S2-P3 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. Notwithstanding the submitted plans, the proposed access shall have a gradient of no more than 1:20 for a distance of at least 5 metres behind the highway boundary. The access once provided shall be so maintained at all times.
9. No part of the development hereby permitted shall be occupied until such a time as a pedestrian footway, 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.
10. 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.

11. 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.
12. 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.
13. Subsequent to or with the first Reserved Matters submission for the site details of a traffic calming scheme for Grantham Road in the vicinity of the site shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the measures approved under this scheme have been installed.
14. 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.
15. 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.
16. 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.
17. 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.
18. No development shall commence on site until all existing trees that are to be retained have been securely fenced off by the erection of post and rail fencing to coincide with the canopy of the tree(s), or other fencing as may be agreed with the Local Planning Authority, to comply with BS5837. In addition all hedgerows that are to be retained shall be protected similarly by fencing erected at least 1m from the hedgerow. Within the fenced off areas there shall be no alteration to ground levels, no compaction of the soil, no stacking or storing of any materials and any service trenches shall be dug and backfilled by hand. Any tree roots with a diameter of 5 cms or more shall be left unsevered.
19. 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.

20. 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 for the parts to be occupied 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.
21. 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.

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 108 of the National Planning Policy Framework 2018.
8. To ensure that vehicles entering and leaving the site may pass each in a slow and controlled manner, in the interests of general highway safety and in accordance with Paragraph 108 of the National Planning Policy Framework 2018
9. To mitigate the impact of the development, in the general interests of highway and pedestrian safety and in accordance with Paragraph 108 of the National Planning Policy Framework 2018.

10. 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.
11. To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Paragraph 108 of the National Planning Policy Framework 2018.
12. In the interests of highway and pedestrian safety in accordance with Paragraph 108 of the National Planning Policy Framework 2018.
13. To ensure that there is safe access and egress into the site in the interest of highway safety in accordance with Paragraph 108 of the National Planning Policy Framework 2018.
14. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
15. 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.
16. 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.
17. To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.
18. To ensure that existing trees are adequately protected during construction in the interests of the visual amenities of the area.
19. 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).
20. To prevent pollution of controlled waters and comply with the NPPF.
21. To prevent pollution of controlled waters and comply with the NPPF.

Officer to Contact: Mrs J Lunn

Date: 23rd August 2018