PLANNING COMMITTEE

13TH DECEMBER 2018

REPORT OF THE ASSISTANT DIRECTOR OF STRATEGIC PLANNING AND REGULATORY SERVICES

18/00500/OUT: GRANGE FARM HOUSE, HARBY LANE, HOSE

1. Introduction

1.1 The purpose of this report is to provide an update to the Committee on the above planning application. The original report is attached as Appendix A.

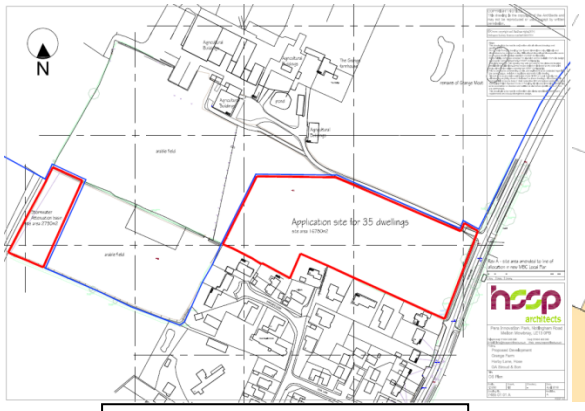
2. Background

2.1 Members will recall that the application was deferred at the meeting of 15th November 2018 in order to invite the submission of an amended red line plan, as the 'red line' plan as submitted for the application did not accord with the site allocation plan in the Local Plan.

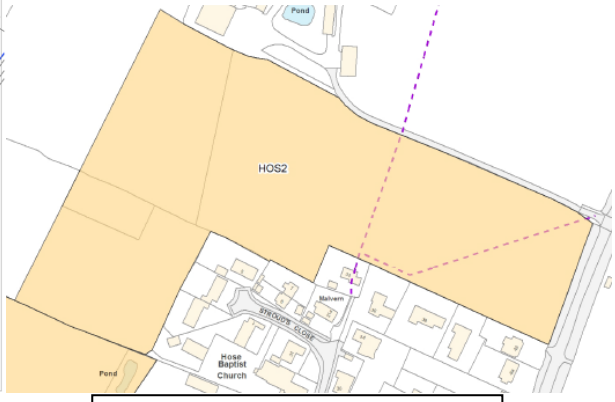
2.2 The Parish Council had also made a S106 contribution request in relation to play equipment for the proposed development, to be located in the village park adjacent to the Primary School.

3. Further Update

3.1 Since the Planning Committee meeting in November, the agent has submitted an amended red line plan for the application. The amended red line has a slight variation from the site allocation as defined by the Local Plan. The current access point has been included in the red line plan, which is not included in the site allocation. However this additional area included in the red line plan would not be developable as this forms part of the existing access road to Hose Grange, to be amended to form part of the proposed access of the development site . Given the resultant minimal variation from the site allocation in the Local Plan, and that the application had been submitted prior to the adoption of the Local Plan, it is considered that the amended red line plan as submitted is considered to be acceptable. The amended red line plan is given below, next to the Local Plan site allocation to compare.



Application site



Local Plan extract

3.2 Clawson, Hose and Harby Parish Council have provided a calculation for the S106 contribution request for the play equipment. The following information has been provided by the Parish Council to demonstrate how their request is CIL compliant and how they have worked out their contribution calculation:

Clawson Hose & Harby Parish Council requests a S106 contribution from the applicant of the above as follows:

a. A new climbing frame is needed for the village park adjacent to the primary school. The additional number of children at the primary school will be using the Park and additional equipment needs to be added to the swings, roundabout and rocking horse

b. It is directly related to the development as additional provision of play equipment is needed for the extra children from the 35 dwellings.

c. An amount of £2,380 is requested as being fairly and reasonably related in scale and kind to the development as follows:

Estimated total number of dwellings in Hose	230
Proposed number of new dwellings -	35
Increase approx.	15%
Cost of new climbing frame	£15,870
S106 request (15% of total cost)	**£2,380**

3.2 The NHS have provided an update in relation to the capacity of the surgery at Long Clawson. They have stated that currently to accommodate an additional 85 patients the surgery would need factor in some additional costs for reconfiguration of the current working space to allow for an increase in clinical space and purchase medical equipment to furnish this space. This will allow the practice to manage peak demand times particularly during weekday mornings when the surgery operates an open access clinics.

4. Recommendation

4.1 Although the amended red line plan as submitted is not strictly in accordance with the site allocation in the Local Plan, the slight difference is not considered to be significant or will have an impact on the proposed development.

4.2 The calculation as provided by the Parish Council is considered to be acceptable and demonstrates how the calculation would justify to amount of contribution requested. Therefore it is recommended that the amount as requested £2380, is acceptable under the applicable CIL Regulation 122 and should be included in a S106 Agreement.

4.3 It is also considered that the additional information in respect of Long Clawson surgery is sufficient to demonstrate compliance with the CIL Regulations and as such it can be legitimately included in a s106.

5. Conclusion

5.1 On the basis of the above it is recommended that the application is approved subject to:

(a) The completion of an agreement under S106 for the quantities asset out in the attached report and as clarified above to secure:

(i) Contribution to primary education provision

(ii) Contribution to secondary education provision.

(iii) Contribution to civic amenity provisions.

(iv) Contribution to sustainable transport options.

(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 for the amount as specified above to the Parish Council for new play equipment.

(vii Contribution the health facilities

(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 Biodiversity), 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 and pedestrian footway arrangements shown on HSSP drawing number 7485 04 10 Rev B have been implemented in full. The visibility splays, once provided shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

8. Prior to occupation of the first dwelling hereby permitted, details of the design for off-site highway works being the relocation of the national/60mph speed limit and a speed reduction scheme on Harby Lane in the vicinity of the site accesses shall be approved and implemented to the satisfaction of the Local Planning Authority. Any street furniture or lining that requires relocation or alteration shall be carried out entirely at the expense of the Applicant who shall first obtain separate consent of the Highway Authority.

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

10. No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no

demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

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

11. No development shall take place until a scheme for the treatment of the Public Footpaths has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, fencing, surfacing, width, structures, signing and landscaping together with a timetable for its implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable.

12. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority.

13. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.

14. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.

15. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.

16. The reserved matters application should retain an area of informal open space to the West and North of the Site. The informal open space to the west and north should comprise semi-natural vegetation and locally native species to provide a corridor for GCN.

17. The development shall be carried out in accordance with the mitigation recommendations in Table 9 of the Great Crested Newt Survey (Brindle & Green, June 2017). This is to also include the translocation of “pond 2”, as agreed in the email dated 7th August 2018 from Nick Cooper to Kirsty Gamble.

18. As part of the reserved matters application, details of the boundary treatment to the northern boundary shall be provided, which shall provide an adequate buffer to the

adjacent Scheduled Monument. The details to be submitted are to include soft landscaping.

19. The development hereby permitted shall be carried out in accordance with the OS Plan 7485 01 01 A, received by the Local Planning Authority on 21st November 2018.

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 the National Planning Policy Framework (2018).

8. To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2018).

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

10. To ensure satisfactory archaeological investigation and recording.

11. In the interests of amenity, safety and security of users of the Public Footpaths in accordance with Paragraph 98 of the National Planning Policy Framework 2018.

12. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

13. To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.

14. To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.

15. To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.

16. In the interests of protected species.

17. In the interests of protected species.

18. To provide a reasonable buffer to protect the adjacent Scheduled Monument and the open countryside.

19. For the avoidance of doubt.

APPENDIX A

COMMITTEE DATE: 15th November 2018

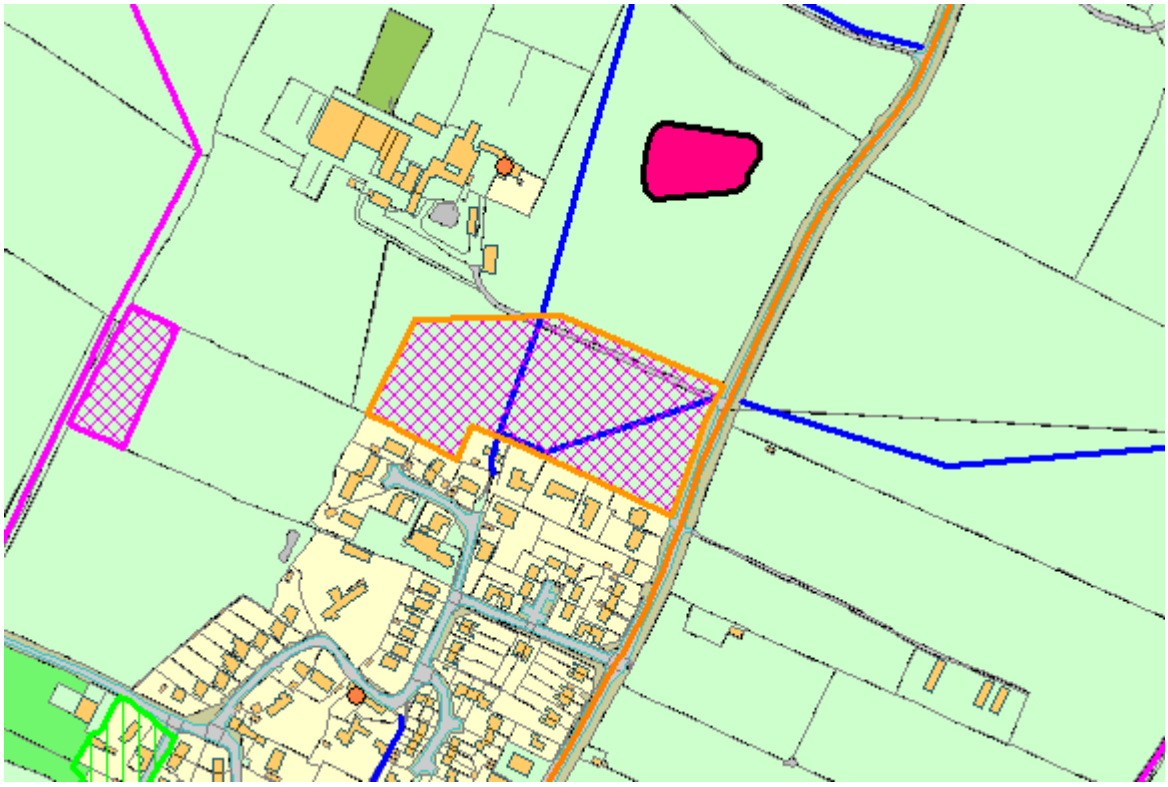
Reference: **18/00500/OUT**

Date Submitted: **30.04.2018**

Applicant: **Mr G Stroud**

Location: **Grange Farm House, Harby Lane, Hose**

Proposal: **Proposed Residential Development for 35 Houses.**



Introduction:-

The proposal seeks outline planning permission for 35 dwellings, with access to be considered as part of the application. The application site is located to the North of the village and is a proposed allocated site in the Adopted Local Plan. Although layout is not for consideration at this time, an indicative layout has been submitted.

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

- **Compliance or otherwise with the Development Plan**
- **Impact upon the character of the area**
- **Impact upon highway safety.**

The application is presented to the Planning Committee due to the number of representations received in relation to the application.

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

Planning Policies: - The Melton Local Plan 2011-2036 was adopted by Melton Borough Council on 10th October 2018. Under s 38(6) planning decisions must follow the policies of the Plan unless material considerations indicate otherwise.

It is considered that the following policies are relevant to this application:

Policy SS1 sets out a presumption in favour of sustainable development Policy C1 (A) seeks to ensure that Housing proposals are delivered within the sites allocated within the Local Plan subject to certain requirements.

HOS2 – Land West of Harby Lane, estimated capacity of 35

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

4. High quality design in accordance with Policy D1.

5. The requirements as set out in Appendix 1 or relevant Neighbourhood Plan.

The development of sites allocated in Neighbourhood Plans that have reached post examination status prior to the adoption of this local plan and which are not identified in Policy C1 (A) or C1(B) may also be permitted, subject to the conditions and criteria above.

Policy C2 seeks to manage the delivery of a mix of house types, tenures and sizes to balance the current housing offer.

Policy C4 – seeks to manage the delivery of affordable homes in order to balance the housing stock and meet the community's housing needs.

Policy EN1 seeks to protect and enhance the Borough's landscape and countryside by ensuring new development is sensitive to its landscape setting, enhances the distinctive qualities of the landscape and requiring new development to respect existing landscape character and features.

On developments of 10 dwellings or more **Policy EN7** will ensure a contribution towards provision and/or enhancement of open space, sports and recreational facilities should a deficiency be identified.

Policy EN12 seeks to ensure that for major developments, through the submission of a surface water drainage strategy, properties will not be at risk from surface water flooding allowing for climate change effects.

Policy EN13 states the Council will take a positive approach to the conservation of heritage assets and the wider historic environment.

Policy IN2 seeks to ensure the support and promotion of an efficient and safe transport network offering a range of transport choices for the movement of people and goods, reducing the need to travel by car and encouraging use of alternatives, such as walking, cycling, and public transport.

Policy D1 seeks to raise the standard of design through siting and design being sympathetic to the character of the area, to protect the amenity of neighbours, utilise the existing trees and hedges together with new landscaping and make adequate car parking provision.

Clawson, Hose and Harby Neighbourhood Plan

The Clawson, Hose and Harby Neighbourhood Plan was made in June 2018. It is considered that the following policies are applicable to this proposal.

Policy H3: Land outside the defined Limits to Development will be treated as open countryside, where development will be carefully controlled in line with local and national strategic planning policies.

Policy H5 seeks a mixture of housing types specifically to meet identified local needs in the villages of Harby, Hose and Long Clawson with priority given to dwellings of 1, 2 and 3 bedrooms.

Policy H6 seeks on sites of 11 or more dwellings provision of affordable homes or an equivalent financial contribution is made.

Policy ENV 2 seeks to protect or enhance other sites of environmental (Natural and Historical) significance in line with certain criteria.

Policy ENV 7 seeks to ensure that developments of ten or more houses on land identified should be supported by a Great Crested Newt Survey.

Policy T1 seeks to ensure that development of six or more dwellings are supported by a Site Specific Travel Plan.

Policy DC1 identifies a number of projects that are considered as a priority for investments in local community infrastructure.

National Planning Policy Framework (NPPF)

> **The Local Plan has been examined and is it has been concluded it is compatible with the NPPF 2012 version. There are not considered to be any changes in the 2018 version that renders the policies applicable to this application 'out of date'.**

Consultations:-

Consultation Reply	Assessment of Assistant Director of Strategic Planning and Regulatory Services
LCC Highways Following the previous observations submitted by the Local Highway Authority to the Local Planning Authority on 8th June 2018, the Applicant has submitted a detailed site access drawing, vehicle tracking, a Stage 1 Road Safety Audit including designer's response and details of a pedestrian footway leading to the site access.	Noted the comments received. Following initial comments, additional information was submitted for the application, including a road safety audit and tracking information.
Site Access As detailed in HSSP drawing number 7485 04 10 Rev B, the Applicant has retained two access points for the development. The main site access would serve 31 dwellings as well as the farm access and have a 5.50 metre wide access with 10 metre junction radii. While sufficient width is required to allow for tractors to enter the site, it should be noted that the LHA would accept a carriageway width of 4.8 metres wide within the	Access is the only matter for consideration as part of the application and therefore the internal layout may be amended through the submission of a reserved matters application if outline permission is granted.

development site, beyond the farm access. While this would not be a reason to resist the development, it should be noted that should the internal layout be put forward for adoption, the LHA reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. The shared private drive to the south would serve 4 dwellings and has been proposed in a dropped kerb arrangement. This access would measure 4.25 metres wide. The main site access would have visibility splays of 2.4 x 94 metres to the north and 2.4 x 100 metres south. Visibility splays for the shared private drive would be 2.4 x 43 metres in each direction. Given the recorded speeds at the site access, the Leicestershire Highways Design Guide advises visibility splays of 160 metres would be required.	
The Applicant has however proposed to relocate the existing national/30 speed limit beyond the site access. This is considered necessary by the LHA and could be undertaken by virtue of street lighting. The LHA previously advised additional measures to reduce speeds would be required however no further details have been provided by the Applicant. Nevertheless, the LHA consider provision of a speed reduction scheme could be delivered via a condition. Given the recorded 85%ile speeds in the vicinity of the site access which are between 47 - 49 mph, the Applicant will need to put forward a traffic calming scheme that considerably reduces vehicle speeds in the vicinity of the site, which is also appropriate to the nature of the area. Given Harby Lane is a bus route and used by farm vehicles, speed tables/ cushions may not be appropriate for example. As a result, the Applicant should progress a scheme at the earliest opportunity. Subject to the above, the LHA considers the site access and visibility to be acceptable.	Details of speed reduction measures can be secured by condition, which the Applicant has agreed to should permission be granted.
Off-site implications The Applicant has proposed a two metre wide footway from the site access to tie in with the existing footway provision on Harby Lane. This is welcomed and required by the LHA in order to provide a pedestrian route in to the village.	The provision of a footway can be secured by a condition.
Transport sustainability. As required previously, the LHA would require one travel pack and 2 x bus passes per dwelling. The LHA have considered the provisions at the nearby bus stops and consider it appropriate to install a new bus stop pole and flag to complement	The contributions requested for the development have been set out below.

the existing shelter at the junction of Coal Lane. **Conditions** 1 provision of access and footway arrangements 2 Details of off-site highway works to be submitted 3 Submission of construction management plan	It is considered that the conditions are requested are appropriate and follow the NPPF requirements in relation to conditions. The Agent/ Applicant has given prior approval to the highways conditions presented by the Highway Authority.
LCC Ecology No objection to this application subject to the following being incorporated into condition(s) of the development: - Layout to be generally in accordance with the Proposed Masterplan (7485-10-01). Any amendments must retain the areas of informal open space proposed to the west and north of the site. - Planting and Landscaping to be agreed. Informal open space to the west and north should comprise semi-natural vegetation (possibly managed as a wildflower meadow) and locally native species to provide a corridor for GCN. - Landscape (Biodiversity) Management Plan to be submitted and agreed. - Mitigation recommendations in Table 9 of the Great Crested Newt Survey Report (Brindle & Green, June 2017) to be followed, with the translocation taking place to 'pond 2' as agreed in the email dated 7th August 2018 from Nick Cooper to Kirsty Gamble. The applicant must also be aware that their ecologist states that a European Protected Species Licence will be required for the necessary Great Crested Newt mitigation. It is the applicants responsibility to liaise with their ecologist to ensure that this in place prior to the commencement of the development. All licence conditions should be adhered to.	Noted comments received from LCC Ecology. The conditions as requested can be included in the decision. As the application is for outline permission only with access to be considered, the layout may be amended at reserved matters stage, however it is considered that the requirements can be incorporated in to any design.
LCC Archaeology The application raises two areas of archaeological concern, the impact of the scheme upon the setting of the scheduled Hose Grange moated site, a nationally important designated heritage asset, and	Noted comments received. The Conservation Officer and Historic England have also provided comments in relation to the application, which are provided and considered below.

second, the impact of the proposals upon known and potential buried archaeological remains. With regard to the first of these issues, consideration needs to take account of Historic England's advice (6th June 2018), specifically the requirement from additional provision of landscape buffering to the site's northern boundary. I note that further discussion between the applicant and Historic England appears to have addressed these matters, the applicant (Letter of the 3rd August 2018) stating that Historic England have accepted their design rationale in respect of the boundary treatment, and that detailed determination of the character and design of the boundary buffering can be addressed as a reserved matter. I would recommend that Historic England's position in this respect is established given their stated objection if an acceptable solution cannot be arrived at. Without prejudice to the setting concerns, with regard to the impact of the proposals upon the buried archaeological resource, we are of the opinion that this can be addressed by a programme of conditioned archaeological mitigation (area excavation). This work shall be informed by the completed geophysical and topographic surveys, and the subsequent phase of trial trenching. On that basis in the event your authority is minded to approve the scheme, it is recommended that the necessary mitigation should be secured by condition on any planning permission, as follows: 1. No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor. The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.	
LCC and Third Party Contributions **Highways** 1. **Travel Packs** – one per dwelling: to inform new residents what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).	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

2. **6 month bus passes** – two per dwelling (an application form 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 use and promote usage of sustainable travel modes other than the car [can be supplied through LCC at (average) £360.00 per pass – NOTE - it is very unlikely that a development will get 100% take-up of passes; 25% is considered to be a high take-up rate]. 3. **New bus stop pole and flag at the nearest bus stop** to the site (opposite Coal Lane) at a cost of £170. **Civic Amenities** The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. **As such a developer contribution is required of £2,893.00** (to the nearest pound). The nearest Civic Amenity Site to the proposed development is located at Melton Mowbray and residents of the proposed development are likely to use this site. The calculation was determined by a contribution calculated on 35 units multiplied by the current rate for the Melton Mowbray Civic Amenity Site of £82.66 (subject to Indexation and reviewed on at least an annual basis) per dwelling/unit = £2,893.00 (to the nearest pound). The developer contribution would be used on project reference MEL012 at the Melton Civic Amenity Site. Project MEL012 will increase the capacity of the Civic Amenity Site at Melton by:- Increase discharge consents for drainage and effluent discharge for increased waste storage. There are no other known or potential obligations from other approved developments, since April 2010, that affect the Melton Civic Amenity Site which may also be used to fund project MEL012. The County Council consider the Civic Amenity contribution is justified and is necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contribution is to be used for the purpose of providing the additional capacity at the nearest Civic Amenity Site (Melton Mowbray) to the proposed development. It is considered fair and reasonable in scale and kind to the proposed scale of development and is in accordance with the thresholds identified in the adopted policies and to meet the additional	in all other respects. Noted all contribution requests. These will be included in the S106 Agreement for this development.

demands on the Civic Amenity infrastructure at Melton Mowbray which would arise due to this proposed development. **Education** This request for an education contribution is based on 33 houses and 0 flats/apartments with two or more bedrooms. No claim is made on 2 one bedroom dwellings. **Primary School Sector Requirement £86,092.80** The site falls within the catchment area of Hose C of E Primary School. The School has a net capacity of 77 pupils and 83 pupils are projected on roll should this development proceed; a **deficit of 6 pupil** places after taking into account the 10 pupils generated by this development. There are currently no pupil places at this school being funded by S106 agreements from other developments in the area to be deducted. There are no other primary schools within a two mile walking distance of the development. A claim for an education contribution is therefore justified. The 10 places generated by this development can therefore be partly accommodated at nearby schools and a claim for an education contribution of 6 pupil places in the primary sector is justified. This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Hose C of E Primary School or any other school within the locality of the development. **Secondary School (11-16) Sector Requirement £98,497.70** The site falls within the catchment area of Bottesford Belvoir High School. The School has a net capacity of 650 and 730 pupils are projected on roll should this development proceed; a **deficit of 80 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 78 pupil places, after taking into account the **6 pupils generated 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. This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or	Total education request of £184,590.50, made on 29th May 2018.

enhancing existing facilities at Belvoir High School or any other school within the locality of the development. Post 16 Sector Requirement £0 Special Schools £0 **Libraries** **No claim** from Library Services. Melton Library currently exceeds upper threshold in terms of standards for stock provision and will not be affected by the proposed development.	**It is considered that the contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement and comply with CIL Reg. 122.**
LCC PROW Officer As the internal layout is not for consideration at this stage, it is recommend that the detailed provision for the Public Footpaths is dealt with as a reserved matter and that the following condition should be placed on any outline permission granted for the site: 1. No development shall take place until a scheme for the treatment of the Public Footpaths has been submitted to and approved in writing by the Local Planning Authority. The masterplan shows both footpaths incorporated in the design more or less on their existing lines. This is welcomed. I must point out a detail in the line of Footpath G33 which needs to be accommodated within any plans to avoid problems for any future residents. I am uncertain from the information provided with the planning application what the proposals are for what appears to be a buffer strip of land between the site and the properties on Stroud's Close. Footpath G26 runs along this strip and I am concerned that it does not become an overgrown and neglected piece of land. I would expect this link, B-D-E, to be surfaced as part of the development and included in any S278 agreement for off-site highway works. Rights of Way Scheme is to follow the County Council Highways Design Guide (set criteria included – to be included in Informatives).	Noted comments received. As the application is for outline permission only, the proposed development can be designed to incorporate the public footpath. The condition as requested can be included in the decision.
MBC Housing Policy Officer Allocation in the emerging Local Plan (2011-2036) – yes. HOS2 Considered under the new NPPF (2018). The affordable housing definition has changed. The new definition can be found in Annexe 2: Glossary	The proposed cascade as suggested by the Housing Policy Officer is as follows: Each criteria is to be taken in the order of priority as set out below with a) being of highest priority and e) the lowest.

(page 64) Long Clawson, Hose and Harby Parish. Neighbourhood Plan adopted on the 6th June 2018. Approved extant planning apps on: • Hose – Canal Lane (15.00944.OUT) & (17.00401.OUT) – AH total units – 15 (37%) of a total 41 units (HOS1) (recommendation for a REM/FUL app – 50%/50% split rented (8 units)/AH homeownership (7 units), taking the rural housing need survey (Jan 2015) and re-let data into account). • Harby – Colston Lane (16.00318.OUT) – AH total units – 18 (36%) of a total of 50 units (HAR4) • Long Clawson – Canal Farm (16.00303.OUT) – AH total units – (13 -16?) of a total of 40 units • Long Clawson – Birley's Garage, Waltham Lane (16.00560.OUT) – AH total units – 17 (37%) of a total of 45 units (LONG3) The affordable housing need for the village (for the period between 2015 and 2020) will be met via the Canal Lane sites if that development comes forward. However, if this application is approved the affordable housing contribution would be **11 units (as at emerging Local Plan 2011-2036 level of 32% for value area 2 and rounded down from 11.2 units)** **Affordable housing for rent – 5** **Affordable homeownership – 6** In light of the figures in the above tables, recommendations for the affordable housing mix are as follows: Affordable housing for rent: 2 x 2 bed/4 person houses 2 x 3 bed/5 person houses 1 x 3 bed/5 person bungalow Total: 5 Affordable homeownership: 3 x 2 bed/4 person houses 3 x 3 bed/5 person houses Total: 6 My recommendations for the market housing mix are: 2 x 1 bed houses 6 x 2 bed houses 2 x 3 bed bungalows 10 x 3 bed houses 2 x 4 bed bungalows 2 x 4 bed houses Total: 24	a) was born in the Parish of Harby, Hose and Long Clawson; or b) presently resides in the Parish and has, immediately prior to occupation, been lawfully and ordinarily resident within the Parish for a continuous period of not less than twelve months; or c) was ordinarily resident within the Parish for a continuous period of not less than three years but has been forced to move away because of the lack of affordable housing; or d) is presently employed or self-employed on a full time basis in the Parish and whose main occupation has been in the Parish for a continuous period of not less than twelve months immediately prior to occupation; or e) has a need to move to the Parish to be close to a relative or other person in order to provide or receive significant amounts of care and support. Only where no households can be found that meet any of the above criteria shall affordable housing within the Neighbourhood Plan area be allocated to otherwise eligible households from elsewhere across Melton Borough.

A local connection cascade would need to be applied on this application. 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. Alternatively, a financial commuted sum in lieu of on site affordable provision may be a possibility for this site and can be discussed further if this site is given planning permission.	
MBC Building Control The application is for Outline and we would not comment until more finalised layouts' are available.	Noted.
MBC Conservation The development will impact on the setting of the adjacent Scheduled Ancient Monument known as 'The Grange'. With regards to these matters, Historic England are satisfied with the outline proposal for development on this location that would amount to 35 units. Conservation is also satisfied with the proposal for new built form in this location. It is clear that the reserved matters for this application will be essential in determining its viability. 'It will be crucial to use the right suite of materials in their construction and detailing to achieve the desired effect. However, the structures themselves are still very close to the northern boundary and drawing them back further would be desirable'... 'Therefore, it should be made more visible in the final design through detailing, planting, etc.' As such, Conservation does not object in principle to the proposal for 35 new units in this location, although it is considered important to acknowledge at this point that the scheme may still need to be reduced in the number of units if a suitable specification cannot be agreed on at detailed design stage.	Noted comments received. As the site is an allocated site in the Local Plan, the impact on the scheduled monument has been considered at the time of consideration of inclusion of the site in the Local Plan. As the application is for outline permission only at present, it is possible (and would be required) that the reserved matters application would provide a proposed development which would not be harmful to the setting of the scheduled monument.
Historic England Accept that a dense buffer of trees would be inappropriate in this open agricultural landscape, and that taking inspiration from adjacent field boundaries is a good approach. Reducing the scale and mass of buildings on the northern-side of the development is also a step in the right direction. It will be crucial to use the right suite of materials in their construction and detailing to achieve the	Noted comments received. As application is for outliner permission only, it would be possible for the reserved matters application to bring forward a design which would be sensitive to the Scheduled Monument. This would include using the right materials and details, and siting of buildings. **Policy HOS2 of the Local plan states that development of the site will be supported provided the northern boundary of the site provides an adequate buffer with**

desired effect. However, the structures themselves are still very close to the northern boundary and drawing them back further would be desirable. The incorporation of the holloway route into the development was not immediately obvious from the indicative plan, although I accept it is there on closer inspection. Therefore, it should be made more visible in the final design through detailing, planting, etc. **Original comments:** The nationally important scheduled monument of Grange Moated Site (List Entry Number 1010668) is typical in form of medieval moated granges and manors, complexes of buildings set within water features from which agricultural estates were managed. The grange is known from a 16th century AD source to be associated with Croxton Abbey, an important 12th century AD priory of Premonstratensian Canons. The monument at Hose is one of a relatively small number of identified medieval grange farms in the Leicestershire landscape. Continued intensive use of many such sites has destroyed much of the evidence of archaeological remains. Therefore a site such as this where the level of preservation both of former buildings below the surface of the moat island and of organic material in the remaining sections of the moat is considered to be good represent rare examples worthy of preservation. Granges performed an important function in medieval rural and monastic life, as mechanism through which religious communities managed the grants of land made to their communities (for their maintenance and the salvation of the souls of their benefactors). As such the relationship between the sites and their agricultural setting is of particular importance to the conservation of their significance. The proposals would draw modern intrusive development nearer to the scheduled monument. The application has identified the important historic and spatial connection between the moated grange and the medieval village to the south, and the geophysical survey and archaeological trial excavation have identified the physical remains of this relationship in the form of a hollow way. The illustrative master plan its current form and layout would obscure this relationship creating a further division between the medieval historic core of Hose and the scheduled monument. In addition, the further encroachment of development beyond the current extent of the village would represent a visual intrusion into the sense of distance from this settlement that is an important part of the experience of the scheduled monument. Historic England's advice is provided in line with the importance attached to significance and setting with respect to heritage assets as recognised by the	**soft landscaping and suitable boundary treatment to respect the adjacent open countryside and Scheduled Monument to the north.** **The indicative plans show how this is possible and key requirements can be incorporated as conditions.**

Government's National Planning Policy Framework (NPPF) and in guidance, including the Planning Practice Guidance (PPG), and good practice advice notes produced by Historic England on behalf of the Historic Environment Forum (Historic Environment Good Practice Advice in Planning Notes (2015)). Detailed guidance on assessing heritage significance and the impact of development on the significance and setting of a heritage asset is set out within these documents. The Desk-based Assessment provides a limited assessment of the potential impact of the proposals regarding a nuanced understanding of the relationship between the moated grange and shrunken medieval village. It also fails to reference the earthwork survey produced in the 1980s by Fred Hartley for Leicestershire Museums. It does not therefore provide a detailed structured description of the earthworks. However, the results of the trial excavation have been synthesised in relation to the earthwork survey, and the conclusions could be used to inform further mitigation and a sensitive design and layout for the proposed development. Overall, the application provides sufficient detail for your authority to assess the impact of the proposed development on the significance of the heritage assets (NPPF paragraphs 128 and 129). The proposed development site was put forward under the Melton Local Plan policy HOS2 with input from Historic England, it states: 'Development of the site reference HOS2 will be supported provided: The northern boundary of the site provides an adequate buffer with soft landscaping and suitable boundary treatment to respect open countryside and the scheduled monument to the north.' We consider the buffer shown on the illustrative master plan is inadequate and would result in harm to the significance of the scheduled monument (NPPF paragraph 132). The final design and layout of the development must address this issue. The archaeological trial excavation has confirmed the presence of a north-east - south-west aligned hollow way that was tentatively identified in both the Hartley and geophysical surveys. The feature connects the moated grange with the shrunken medieval village and therefore its significance has also been confirmed. As previously suggested to the applicant, harm to the significance of the scheduled monument could be minimised if the route of the hollow way could be represented in the design and layout of the proposed development (NPPF paragraphs 131 and 132). **Recommendation** Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to	

meet the requirements of paragraphs 131 and 132 of the NPPF. Historic England would object to the proposed development if the final design and layout fails to provide an adequate buffer to respect the open countryside and scheduled monument to the north. The views and advice of the Principal Archaeologist for Leicestershire County Council should also be sought concerning this application and any further mitigation required for the proposed development site.	
CHH Parish Council The Parish Council objects to this application as it is contrary to the Neighbourhood Plan policies: • H2 Housing site allocations • H3 Limits to development	Consideration of the Local Plan and its conflict with the Neighbourhood Plan has been considered below.
NHS The development is proposing to develop 35 houses, which, when based on the average occupancy of a practice dwelling of 2.42 would result in an increased patient population of approx. 84.7. This growth will increase the practice list size by approximately 85 patients. An increase in the practice list will create additional pressure on clinicians and admin teams. Contribution request of £10,611.22 (for Long Clawson Medical Practice)	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. A request of £10,611.22 has been made from the NHS for Long Clawson Medical Practice, where it is considered that future residents would visit. This is based on the costs of building extension to the premises. However the information provided does not identify the existing capacity of the facility and whether this development would result in a need for its expansion It is therefore considered that whilst the contributions relate appropriately to the development in terms of their nature and scale, there is insufficient information available to ascertain whether they are made necessary by the proposed development. As such it cannot be concluded that they comply with CIL Reg. 122.
Designing Out Crime Officer I have reviewed this application and have no objections in relation to this application. There will be no application for Section 106 funding in respect to this application.	Noted.
Environment Agency We have reviewed the submitted documents and on this occasion the Environment Agency will not be making any formal comment on the submission for the following reason: There are no environmental constraints associated with the application site which fall within the remit of the Environment Agency.	Noted. The site is in flood zone one and therefore considered to be at low risk of flooding.
LLFA The site lies wholly in Flood Zone 1 and has a low surface water flood risk. The submitted drainage and flood risk details appear technically acceptable	Noted comments received. Conditions as requested can be included in the decision.

to the LLFA at this stage. The proposed development would be considered acceptable to Leicestershire County Council as the LLFA subject to the submission of surface water drainage scheme, its management and maintenance along with details of infiltration testing and an updated FRA being submitted to the LPA for consideration, all of which are to be secured by condition.	

Representations:-

As a result of a site notice and neighbour notification letters, representations of support from 8 separate households and objections from 12 separate households have been received for the application.

Objections

Representation	**Assessment of Assistant Director of Planning and Regulatory Services**
• Development is large and not connected to the village apart from the main road and will become its own community. • Application will open up the North and West of the village with future development as outlined in red on the Archaeology report, possibly linking with the site granted permission on Canal Lane and possibly a further site on Canal Lane. • Need to maintain current residents privacy, light and lifestyle choices – these are often overlooked. • Density is out of keeping with the rest of the village and does not provide a sustainable transition from village to countryside. • Represents a significant increase in population size. • Detracts from close community. • Design and materials should be reserved for future. (and adhere to Neighbourhood and Local Plans). • Our bungalow faces site – concerned about overlooking into the bedroom. • Site allocation is only for 35, however the application only covers half the site and proposes 35. Proposed density, given the edge of village location and proximity to the scheduled monument, GCN breeding ground, impact on local views, village infrastructure and community more generally is too high. • If density is deemed acceptable, as a bare minimum the Local Plan should be amended to un-designate the reset of the site as potential exponential growth in population in village would be unreasonable, unwarranted and deliberately not consulted on. • Local Plan requires a buffer to the northern	The application site is an allocated site in the Local Plan. This site has also been through examination in public. It is considered that the principle of development on this site is acceptable. As the application is for outline permission with access only, the layout and housing mix will be finalised at reserved matters stage. An indicative layout demonstrates how the proposal could be achieved without causing detriment to either the occupants of existing dwellings nearby or future occupants of the site. The Inspector has considered that the increase in house numbers for the village is acceptable and would not harm sustainability. Materials will be for consideration at reserved matters stage. The types and locations of housing have not been finalised, so at present it is not possible to assess the potential impact on neighbours at this time. The allocations have given an estimated capacity. An indicative layout has been provided in the application to demonstrate how the site could be developed. It would not be possible to un-designate an allocated site in the Local Plan.

boundary – do not consider the plan achieves this apparent objective. • At the time of the Neighbourhood Plan consultation, density of the site was lower. • This development along with the other at HOS1 would represent a significant increase in the size of population. • Change character of village beyond recognition. • Considerable over development.	As the application is for outline permission only, a buffer to the northern boundary can be incorporated into a reserved matters application.
• Does not fit with the Neighbourhood Plan, which the Government gave funding and encouraged so that communities had control over their future. • Description names as HOS2 – does not comply with the Neighbourhood Plan as voted for by the village, village committee and Parish Council took great amount of time and effort to compile. • No notification of changes to village plan – name is misleading and almost deceptive. • Not compliant with the Neighbourhood Plan and not designated for development. • Consultation has not concluded on the Local Plan and can be appealed. • Local Plan is at odds with the Neighbourhood Plan in relation to site allocation. • If Local plan is utilised, policy EN2 prevents the site use as there are alternative sites. Relying on a draft Local Plan where the Local Plan is controversially contradicting the Neighbourhood Plan, would be premature and reckless. • Residents rejected site in consultation (Neighbourhood Plan). • Applicant has submitted at a time where the land is not permitted for development, to exploit a potential small window before the Neighbourhood Plan and Local Plan are aligned. Costly to rectify at a alter date. • Villagers are relying on protection from the Neighbourhood Plan, consultation is meaningless. • Residential land should be removed from the Local Plan and enhanced to support Great Crested Newts. • Site falls foul of the Neighbourhood Plan due to proximity to Ancient Monument, impact on wildlife and environment. • Council should wait until Local Plan adoption and appeal period has expired. • If Council consider Local Plan to be used, should consider policy EN2 – existence of GCN and available alternative sites (including housing allocations in Parish) which achieves Local Plan quota under Neigbourhood Plans, means that planning permission could not be granted without contravening the Local and Neighbourhood	The Neighbourhood Plan has not allocated this site for development, however it has been proposed in the Local Plan. HOS2 is the Local Plan allocated reference number for the application. The Inspector for the Local Plan did discuss the issue of the site not being allocated in the Neighbourhood Plan but did not consider this to be an issue. The Inspector was satisfied that the site should be an allocated site in the adopted Local Plan. The Local Plan has now been adopted. It is considered that the development can be designed to take into account the Local and Neighbourhood Plan policies. The application is considered in light of the applicable policies at the time of the decision. LCC Ecology have raised no objection to the proposed development. Historic England, LCC Archaeology and MBC Conservation raise no objection to the proposed development.

Plans. • Any decision to permit would not be Local Plan compliant. • Comments about local residents support are incorrect – site was rejected by residents. • Suggestion site is favoured over others is wrong and undermines the credibility of the proposed use. • Reliance that the Council may place on community support would be misplaced. • If granted, this makes a mockery of our democratic rights as a nation and once again the peoples wishes and way of life are ignored for the sake of monetary gains. • 25% increase in the size of the village.	The site is an allocated in the Local Plan and the proposed development is not considered to represent a departure from the Local plan. All representations submitted to Melton Borough Council in relation to this application have been taken into account.
• Greater consideration is needed for the infrastructure – school capacity, recreational facilities, Drs, drainage, broadband, upgrading of single track and speeding. • Need provision of play facilities, pedestrian crossing to village hall and school building. • Infrastructure in and around the village has limited capacity. • Development should be carried out in a measured way. • Hose is a small, tranquil village and construction of substantial development would not be welcomed. • Busy surgery will need to be re-development. • Issues with drainage. • Construction is adjacent to existing houses, may present a flood risk. Neighbouring properties have previously flooded.	LCC have made contribution requests for education and civic amenities. Additionally, there has been a contribution request from LCC Highways. A pedestrian crossing has not been requested as part of the highways contribution. The NHS has made a contribution request in relation to the existing surgery at Long Clawson. The LLFA raise no objection to the application, subject to conditions. The site is in Flood Zone 1 and is at low risk of flooding.
• Restriction of traffic/ construction times. • Should consider moving boundary hedge to the north to improve visibility. • Extend 30mph zone, support this however visibility splays should be enlarged. • Issues and risks for units 1, 2 and 3 not addressed in Transport Assessment and plan does not show visibility splay. • Should install a footpath to connect the site to the village. Should also fund improvements e.g. better surfacing and lighting. • With 35 new dwellings, there will be a minimum of 35 more cars using the lane. • Well used public footpath across the site. • Increase in accidents at the location, especially given the speeds of vehicles, regardless of the 30mph limit. • Another access onto already busy road.	LCC Highways have raised no objection to the proposed development, subject to the inclusion of conditions. This includes a construction management plan. The public footpath can be incorporated in the design of the development at reserved matters stage.
• Farm land and Green Belt is often taken too often where brownfield sites could be available in the future for development within the village. • Site is a home to breeding Great Crested Newts and alternative sites are available.	The site is not in the Green Belt. Available sites were assessed for the Local Plan and this site was considered to be appropriate for development.

Plans are not comparable and ignore a number of requirements (in relation to the Ecology survey). • Local residents who want to up/downsize should be offered first refusal on properties. • Great Crested Newt survey cannot be condition of planning and must be in place before planning is sought. Given that plans are different and the survey is only accurate for one year, Council may deem survey no longer fit for purpose and require application is rejected whilst revised survey is obtained.	Whilst there is a cascade for affordable housing, for housing to address local need, there is no requirement for the developer to have to provide market dwellings to the local residents first. No issue regarding the date of the GCN survey has been raised from LCC Ecology.
• Letters sent late and posting of site notice late, all sent on different dates with 21 days to reply. • No notice on village board, which most villagers would read and no notice at site entrance. • Not consulted local villagers or Parish Council and immediately affected, given insufficient time to respond. • Appears to be window of opportunity to push through without full consultation of villagers and Parish Council. • Timing tactics used (in relation to Local and Neighbourhood Plans). • Consultation is meaningless – consultation was carried out under Neighbourhood Plan regime.	Sufficient consultation has been carried out on the application and interested parties have had sufficient time to comment on the application (over the minimum required 21 days). Nearby residential occupiers were notified by letter, a site notice was posted at the site and an advert placed in the Melton Times. There is no requirement to post a site notice on a village notice board. Additionally, the Parish Council were consulted directly on the application. Melton Borough Council cannot prevent the submission of the application. Determination of the application is taken based on the policies which are applicable on the date of the decision.

Support

Representation	Assessment of Assistant Director of Planning and Regulatory Services
• Most sensible site for new housing – on a level site with access to main road. • Extensive consultation in village – overwhelming support for this site, however not put forward in the village plan and face three separate developments in the village. • Plan was combined with Long Clawson, voted together and Long Clawson residents carried forward (even though many Hose residents are against this). • Neighbourhood plan is out of sync with the Local Plan and Neighbourhood Plan needs to be amended. • Don't understand why the Neighbourhood Plan was changed. • Vote had no time limit and closed before residents had time to comment for responses and those who attending the meeting were in favour of the proposal, those who objected weren't. • Consultation and the Parish Council have been challenged by locals on validity of vote and don't feel that this reflected the true views of Hose residents.	The application site is an allocated site in the Local Plan but is not an allocated site in the Neighbourhood Plan. The Neighbourhood Plan had been through independent examination and made in June 2018. Therefore it was considered that the plan was acceptable and as a result forms part of the Development Plan which covers this site. The issues relating to the Neighbourhood Plan process cannot be considered in relation to this application. As the Local Plan was adopted at a later date and is the strategic plan for the Borough, it is considered that the policies (including site allocations) should be given greater weight than the conflicting policies/ allocations in the Neighbourhood Plan.

• New Local Plan was improved by the Inspector and land identified. All objections referencing Bolton Lane site should be discounted, including the Parish council who are still hanging on to the original flawed land allocation in the Neighbourhood Plan.	
• Village roads narrow with no footpath/ pavement – heavy vehicles are dangerous. • Easy access – safer for residents and visitors. • Application takes traffic away from the centre of the village. • If a road was made from Canal Lane from Harby Lane, this would help with traffic problems the Canal Lane development would cause.	It is proposed that this development will include the provision of a new footway. LCC Highways raise no objection to the proposed development, subject to the inclusion of conditions.
• Development includes low cost housing – required in Hose. • Suitable mix of housing proposed, appropriate to the village needs. • Housing density and size is acceptable and will blend in with the new dwellings on Harby Lane. • Proportionately smaller and more in keeping.	The proposed development would provide a mix of housing, which would address housing need in the area. The Housing Policy Officer has indicated a mix of dwellings required and a hierarchy for affordable housing. The final mix of housing will be agreed at reserved matters stage (and included as a condition of the outline permission and the affordable housing as a S106 contribution).
• Previously identified sites would necessitate works vehicles trying to pass on narrow, windy roads through the village centre, where residents park cars on the road (through necessity) due to no garages/ off street parking. • To not adopt renders the village too many months disturbance from construction. • Risk of industrial accident to the roads (in relation to other sites).	LCC Highways raise no objection to the proposed development of the application site under consideration. The other allocated sites are not for consideration in relation to this application.

Other Material Considerations Not Raised In Representations:-

Other Material Considerations	Assessment of Assistant Director of Planning and Regulatory Services
Inspectors Report on the Local Plan The application site was considered in the Local Plan examination by the Inspector, who came to the following conclusion in their report: 110. HOS2 (land off Harby Lane) is on the north-eastern edge of Hose and its development will require sensitive boundary treatment to respect the settlement edge and protect the setting of the Scheduled Monument to the north of the site. The policy includes a criterion to this effect, which is acceptable to Historic England. The site was allocated at the Focused Changes stage, while the originally allocated HOS2 (land off Canal Lane) and HOS3 were deleted. This does not reflect the aspirations of the local community as set out in the NP.	During the examination of the Local Plan, the Inspector considered that the application site (HOS2 in the Local Plan) had not been included as an allocated site in the Neighbourhood Plan, and "does not reflect the aspirations of the local community". However the Inspector further goes on to state that the Council are justified in preferring the allocated site (to ensure a supply of deliverable sites) and that there would be insufficient evidence to conclude that the inclusion of this site in the Local Plan would be unsustainable for the village (taking into account the other allocated sites and planning permissions). Whilst objection has been received in relation to the conflict between the Neighbourhood and Local Plans,

111. However, in the interests of ensuring a supply of deliverable sites in the early years following adoption of the Plan, the Council is justified in preferring the site west of Harby Lane to the original HOS2 and HOS3 sites. Overall, **there is sufficient evidence to conclude that the allocation is sound**. In the interests of a justified plan, MM4 deletes an obsolete reference to the superseded HOS2 and HOS3 and updates the site assessment table for HOS1 in the light of a recent planning permission. As a result, the Plan allocates 76 dwellings to this village. **While this will be a significant enlargement, there is insufficient reason to conclude that it would be unsustainable.**	the Inspector concluded that the additional allocated site in the Local Plan was acceptable and subsequently the plan was adopted including the allocated site. It is not considered that the refusal of the application on the basis that it is not allocated in the Neighbourhood Plan would be sufficient.
Local Plan Site Specific Requirements Policy HOS2: Development of the site reference HOS2 will be supported provided: The northern boundary of the site provides an adequate buffer with soft landscaping and suitable boundary treatment to respect the adjacent open countryside and Scheduled Monument to the north.	As the application is for outline permission at present, there is no boundary treatment to consider at present.

Conclusion:-

Whilst it is acknowledged that the application site is not allocated in the Neighbourhood Plan, it is allocated in the Local Plan. The Local Plan was adopted more recently than the Neighbourhood Plan and therefore achieves 'primacy' under the applicable law.

Whilst the proposed development would provide more housing than identified in the Neighbourhood Plan, the housing requirement is a minimum only, and there is nothing to prevent the provision of more housing. The Inspector for the Local Plan noted in her final report that the development of this site would not harm the sustainability of the village.

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.

The site is allocated for development in the adopted Melton Local Plan. The application is in outline and demonstrates how this allocation can be fulfilled, including the site specific criteria applied by the Plan. No material considerations are present which indicate the decision should depart form the development 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 to primary education provision

(ii) Contribution to secondary education provision.

(iii) Contribution to civic amenity provisions.

(iv) Contribution to sustainable transport options.

(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

(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 Biodiversity), 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 and pedestrian footway arrangements shown on HSSP drawing number 7485 04 10 Rev B have been implemented in full. The visibility splays, once provided shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

8. Prior to occupation of the first dwelling hereby permitted, details of the design for off-site highway works being the relocation of the national/60mph speed limit and a speed reduction scheme on Harby Lane in the vicinity of the site accesses shall be approved and implemented to the satisfaction of the Local Planning Authority. Any street furniture or lining that requires relocation or alteration shall be carried out entirely at the expense of the Applicant who shall first obtain separate consent of the Highway Authority.

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

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

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

11. No development shall take place until a scheme for the treatment of the Public Footpaths has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, fencing, surfacing, width, structures, signing and landscaping together with a timetable for its implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable.

12. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority.

13. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.

14. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.

15. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.

16. The reserved matters application should retain an area of informal open space to the West and North of the Site. The informal open space to the west and north should comprise semi-natural vegetation and locally native species to provide a corridor for GCN.

17. The development shall be carried out in accordance with the mitigation recommendations in Table 9 of the Great Crested Newt Survey (Brindle & Green, June 2017). This is to also include the translocation of "pond 2", as agreed in the email dated 7th August 2018 from Nick Cooper to Kirsty Gamble.

18. As part of the reserved matters application, details of the boundary treatment to the northern boundary shall be provided, which shall provide an adequate buffer to the adjacent Scheduled Monument. The details to be submitted are to include soft landscaping.

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 the National Planning Policy Framework (2018).

8. To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2018).

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

10. To ensure satisfactory archaeological investigation and recording.

11. In the interests of amenity, safety and security of users of the Public Footpaths in accordance with Paragraph 98 of the National Planning Policy Framework 2018.

12. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

13. To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.

14. To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.

15. To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.

16. In the interests of protected species.

17. In the interests of protected species.

18. To provide a reasonable buffer to protect the adjacent Scheduled Monument and the open countryside.

Officer to Contact: Mrs J Lunn **Date: 31st October 2018**