



Melton
Borough
Council

Planning Committee

30th May 2019

Report of:

Assistant Director of Strategic
Planning and Reg. Services

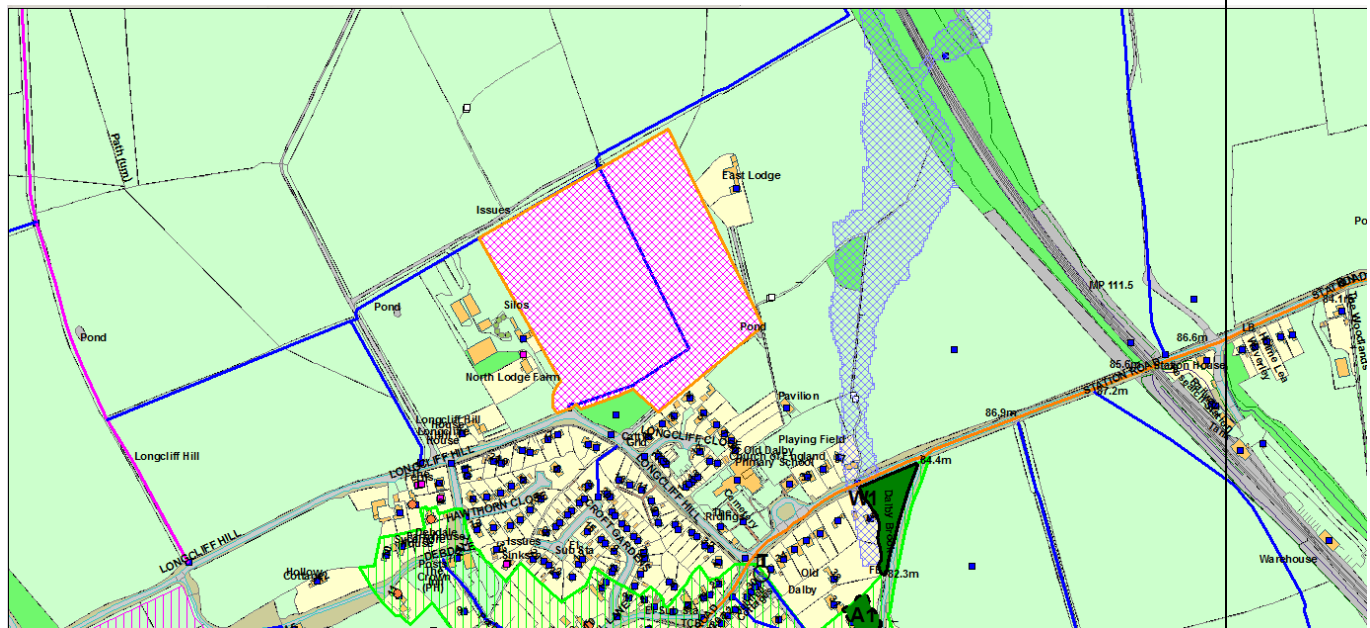
18/01111/FUL: Field OS2713 and 2100, Longcliff Hill, Old Dalby

Proposed residential development on land off Longcliff Hill, Old Dalby that currently benefits from three outline approvals – 16/00911/OUT, 16/00184/OUT and 17/00743/OUT.

1. Summary:

The application site is located off Longcliff Hill and is approximately a square parcel of land to the north and north-east of the highway. It is accessed from the highway in the south-west corner of the site and is bordered by countryside to the north and east, by countryside and housing on Longcliff Close to the south and by North Lodge Farm to the west.

The submission comprises a full application for the erection 36 dwellings, associated infrastructure and landscaping. Revised plans have been received amending the layout to address visual amenity issues and issues raised through the consultation process.



2: Recommendations:

Permit subject to:

- (i) Completion a S.106 agreement making for:
 - Affordable housing provision;
 - Open space;
 - NHS contribution;
 - Education contribution;
 - Libraries contribution;
 - Civic amenities contribution;
 - Potentially a contribution to the village hall.(as set out below).
- (ii) Conditions as set out in Appendix C
- (iii) No objections being received from Leicestershire County Council Highway Authority

3: Reasons for Recommendation:

The site already has the benefit of outline approvals for a total of 28 dwellings and is allocated in the Local Plan for 28 dwellings. The proposal seeks permission for 36 dwellings on a larger site than the existing outline approvals, extending to the south beyond the allocated site. However, this extension is modest and the increase in the number of additional dwellings is not considered significant overall. The proposal would secure a high standard of design and ensure satisfactory amenity for future and existing occupiers. Issues including the impact on hedges, drainage, archaeology and ecology have been satisfactorily addressed. Conditions recommended on this application will ensure the development is delivered and achieve the standards required. The outstanding issues of highways are the subject of on-going discussions and will be reported to Committee. As such, the proposal is considered to comply with the Local Plan policies referred to above and principles of the NPPF, subject to the highways and subject to the completion of a s.106 agreement.

4: Key factors:

Reason for Committee Determination

The application is required to be presented to the Committee due to the number of representations received.

Relevant Policies

The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and is the Development Plan for the area.

- The Nether Broughton and Dalby Neighbourhood Plan was adopted on 6th June 2018 and forms part of the Development Plan.
- The site lies in Old Dalby and complies with Policy SS1 and SS2.
- The site forms part of the Local Plan housing allocation OLD1 with estimated capacity of 28 dwellings.
- No inconsistency with the NPPF has been identified that would render Local Plan policies 'out of date'.

Please see Appendix D for a list of all applicable policies

Main Issues

The main issues for this application are considered to be:

- Position under the Development Plan policies
- Principle of development
- Impact upon the character of the area
- Impact upon residential amenities
- Highway Safety
- Ecology
- Impact on Hedges
- Impact on the public footpath

5: Report Detail:

5.1 Position under the Development Plan policies

The majority of the site is allocated for residential development under Policy OLD1 of the adopted Local Plan. The southern part of the site falls outside of this allocation. The site is within the Limits to Development in the Neighbourhood Plan.

5.2 Principle of Development

The majority of the site has the benefit of outline approval for 28 houses and is allocated in the Local Plan.. As such, the principle of residential development on the allocated part of the site has been established and is supported in principle. The current proposal does propose an additional 8 dwellings; however, this is considered to be a relatively marginal increase overall on a small parcel of additional land to the rear of the site which has an extant approval for three further dwellings. Furthermore, the proposal has other benefits including affordable houses, other contributions under the s.106 legal agreement and sought housetypes such as bungalows.

The overall historic approvals on this site and the adjacent site totalled 35 and 36 are now proposed on this site in addition to the 3 under construction on the adjacent site. However, the site area has also expanded to the south which has facilitated the increase in numbers.

As such, the principle of development is acceptable.

5.3 Impact upon the character of the area

The proposed layout maximises the natural attributes of the site including the boundary hedges and retaining much of the hedgerow adjacent to the footpath. Revisions have been received following the original submission to address the design issues identified and overall the proposed scheme is acceptable visually.

The layout has been enhanced to increase the active frontages on the key visual points of the site, to reduce the visual impact of vehicle parking and to more effectively integrate all dwellings within the site. The proposal will also include additional landscaping and open space via a condition.

It is considered the proposal would achieve a high standard of design and layout, in compliance with Policy D1.

5.4 Impact upon residential amenities

The layout has been assessed to ensure the residential amenity of future occupants of the development and existing neighbours would be secured. The scheme would minimise the impact on existing neighbouring properties through careful siting and design and would provide a satisfactory level of amenity for future occupiers.

Overall, it is considered the proposal would provide a satisfactory level of amenity for existing and future occupants.

5.5. Highway Safety

The site has the benefit of permission for 28 dwellings which would use the access now proposed. As such, although the formal comments of the Highway Authority are awaited on the latest revision, it is considered the issues raised can be satisfactorily addressed.

5.6 Affordable Housing/Housing Mix

The proposal comprises the erection of 36 dwellings of the following mix: 6 x 2 bedroom semi-detached dwellings, 3 x 2 bedroom bungalows, 14 x 3 bedroom semi-detached properties, 2 x 3 bedroom detached dwellings, 8 x 4 bedroom detached dwellings and 3 x 5 bedroom detached dwellings.

A total of 9 affordable houses would be provided on the basis of 2 affordable rented dwellings, 3 discount market units and 4 starter homes.

It is considered the proposals represent an acceptable housing mix in terms of size, type and tenure and results in a satisfactory affordable housing provision.

5.7 Ecology

The latest revision allows for a significant proportion of the hedge adjacent to the footpath to be retained. It is acknowledged retention of the hedge in its entirety would be preferable from an ecological perspective; however, other factors have to be considered within the planning balance including the visual impact of the proposal and better integration of dwellings within the overall site.

The latest layout retains much of the hedge but allows for an enhanced visual appearance to the layout with smaller parking courts and better integrated dwellings.

The comments from County Ecology relating to the northern and western boundaries where there are no buffers between the hedges and the domestic gardens are noted. However, should such buffers be incorporated the developable space would be significantly reduced and achieving a satisfactory scheme would become challenging. It should be noted the layouts for the outline approvals were indicative only and it has not been possible to include these buffers within this scheme. It is however possible to secure the retention of these hedges through a condition and to enhance the biodiversity of the site through additional landscaping.

Overall, it is considered the ecological interests of the site and immediate surroundings will be adequately safeguarded by the proposed layout together with conditions relating to construction methods in close proximity to hedges and additional landscaping.

5.8 Flood Risk/Drainage

The proposal has been subject to consultation with the LLFA and Severn Trent Water who raise no objection. A condition can be imposed to ensure the drainage strategy is satisfactory and implemented.

5.9 Footpaths

The latest revised layout reduces the number of openings that would interrupt the footpath and would retain a greater amount of the hedge. These changes would enhance the safety of users of the footpath and ensure an enhanced experience of using the footpath. Furthermore, it should be noted that the part of the footpath affected by the proposal represents a small length of footpath and the County Footpaths Officer raises no objection.

Consultation & Feedback

A site notice was posted and neighbouring properties consulted on the original plan, a revised plan and the latest plan (Rev O). As a result 2 letters of objection were received on the original consultation, 15 letters of objection received on the second consultation and 5 letters of objection received on consultation on Rev O. A petition, signed by 103 people has been submitted following the second consultation.

Financial Implications:

A S.106 agreement has been requested making contributions as set out in the report above for:

- NHS contribution; £7,903.84
- Education contribution; Amount to be confirmed
- Libraries contribution; £1090.00
- Civic amenities contribution; £2976.00
- Potentially a contribution to the village hall.
- Potentially Highways contribution subject to comments being received.

Background Papers:

- Planning Application File 16/00184/OUT Approval for the erection of 20 dwellings.
- Planning Application File 16/00911/OUT Approval for the extension of the approved residential development under 16/00184/OUT to provide an additional 8 dwellings.
- Planning Application File 17/00743/OUT Approval for an outline application for the development of 7 dwellings.

Appendices:

A; Consultation responses
B: Representations received
C: Recommended conditions
D: Applicable Development Plan Policies

Report Timeline:

Assistant Director Approval

20th May 2019

Report Author: Mr Joe Mitson, Planning Officer, Development Management

☎: 01664 502395

Appendix A : Consultation replies

LCC Highway Authority

Observations awaited.

Broughton and Old Dalby Parish Council

The number of three storey buildings in the application are not in keeping with the area, there is not sufficient parking for any vehicles over and above homeowners i.e. visitors or deliveries etc.

It was also noted that with 94 car parking spaces this application would present a considerable challenge to the highways infrastructure particularly given the narrowness of the road in this area, it was considered that this application is so far removed from the original applications, particularly with regards to an additional 4 houses, that there should be a completely new application.

Concern was expressed with regards to drainage and asks that the drainage proposals are adequate given the movement of a pond and the nature of the subsoil.

Pleased to see bungalows included in this application.

This scheme represents an amalgamation of 3 applications; however, the number of dwellings on this amended plan exceeds the total of these original applications. There is no demonstrable need for this number of new houses in Old Dalby, an assertion supported by both the Melton Local Plan and the Broughton and Old Dalby Neighbourhood Plan. The Melton Local Plan asserts that new housing will be delivered within the Local Plan on the site referred to as OLD1 North Lodge Farm, Longcliff Hill giving a target of 28 dwellings. The density of dwellings in this proposed scheme is not in keeping with the area and is unsuitable for the street scene in Old Dalby. All highways issues need to be addressed prior to any approval.

Seek confirmation regarding who will maintain the play area on the site and how this will be costed.

Expressed concern regarding the issue of drainage on site. It is acknowledged that the ground in this area is impermeable and yet plans show the use of permeable paving, this would result in water running into Old Dalby Brook contamination of which would impact farming in the area. A petrol interceptor essential to address this issue of contamination.

LCC Footpaths

It is not clear from the amended plan available, what surfacing will be used for the public footpath; require a new footpath fingerpost, where the footpath will join the new footway. Raise no objection to the amendments subject to conditions and informatives.

Conditions

Notwithstanding Drawing No. 7737-03-01 Rev O the Public Footpath shall comprise of 2 metre wide tarmac surface with a 1 metre uncluttered verge either side

throughout its length within the development site.

Notwithstanding Drawing No. 7737-03-01 Rev O the Public Footpath shall be provided with a hand-gate in the perimeter fence in the north eastern corner of the site compliant with LCC standard drawing SDFP11_REV_A.

Prior to completion of the development, the Public Footpath should be sign posted from the point where it leaves the new estate road with a LCC standard footpath fingerpost compliant with LCC standard drawing SD/FP/7.

LLFA

An updated site plan has been provided in which areas of permeable paving have been replaced within the masterplan. An updated Flood Risk Assessment has been provided to support this masterplan. The drainage strategy drawing still identifies permeable paving within land that the masterplan now identifies as cobbles. Given that these areas of permeable paving are not utilised as attenuation within the drainage strategy, the Lead Local Flood Authority (LLFA) will expect this drainage strategy to be updated to support the discharge of conditions application for the surface water drainage strategy.

Conditions

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.

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.

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

LCC Ecology

Note that the most recent revision to the proposed layout (Rev O) retains some of the hedgerow running east-west across the site as was shown in Rev E. Whilst we would prefer the hedgerow to be retained in its entirety the proposed layout does retain the overall corridor and sits the hedgerow in an area of open space rather than adjacent to plot boundaries. This will help to protect the feature long-term, allowing adequate room for the hedgerow to grow whilst allowing access for maintenance. We would recommend that any additional planting in this open space comprises locally native species.

However, the existing western and the proposed northern hedgerow appear to be immediately adjacent to plot boundaries, with no buffer zone. We would recommend that the layout is rearranged to include buffers adjacent to the hedgerows, in accordance with the Hedgerows and Planning guidance note (attached). These

hedgerows were buffered on the indicative layouts for applications 16/00184/OUT and 16/00911/OUT.

LCC Archaeology

The Leicestershire and Rutland Historic Environment Record (HER) notes that the site lies on the edge of the historic settlement core of the village of Old Dalby (HER ref.: MLE9269) and adjacent to a shallow alleviated stream course. Archaeological remains reflecting the early medieval establishment of the village, and/or its subsequent fluctuations in size, may well be present in the vicinity. Whilst no recorded archaeological remains are noted on the HER, this is likely to be attributable to a lack of previous archaeological investigation. In that context, previous investigation of vacant land within the village has produced evidence of otherwise unknown Anglo-Saxon and medieval remains (MLE15774 and 15775).

The development of the site will lead to the excavation of foundations, services and landscaping, all are likely to impact upon buried archaeological remains should such evidence be present. In accordance with NPPF paragraph 189, assessment of the submitted development details and particular archaeological interest of the site, has indicated that the proposals are likely to have a detrimental impact upon any heritage assets present. NPPF paragraph 199, states that developers are required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact of development. In that context it is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, including as necessary intrusive and non-intrusive investigation and recording. If planning permission is granted the applicant must obtain a suitable written scheme of Investigation (WSI) for both phases of archaeological investigation from an organisation acceptable to the planning authority.

Conditions

No development shall take place until a programme of archaeological work, informed by with an initial phase of trial trenching, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and the programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme), the programme for post-investigation assessment, provision to be made for analysis of the site investigation and recording, provision to be made for publication and dissemination of the analysis and records of the site investigation, provision to be made for archive deposition of the analysis and records of the site investigation, nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1) and the provision made for analysis, publication and dissemination of results and archive

deposition has been secured.

Developer Contributions

Education

Primary: The site falls within the catchment area of Old Dalby C of E Primary School. The School has a net capacity of 147 and 171 pupils are projected on the roll should this development proceed; a deficit of 24 pupil places. The total deficit for this school to 16 pupil places of which 13 are existing and 3 are created by this development.

In order to provide the additional primary school places anticipated by the proposed development the County Council request a contribution for the Primary School sector of **£35,020.80**.

Secondary: There are two 11-16 secondary schools in Melton Mowbray, these are The Long Field School and John Ferneley College. The schools have a total net capacity of 1900 and a total of 2275 pupils projected on roll should this development proceed and 2 are created by this development. 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 **£23,954**.

Civic Amenity

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 36 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 = £2976.00. (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 increasing discharge consents for drainage and effluent discharge for increased waste storage.

Libraries

The proposed development on Longcliff Hill is within 9km of Melton Library on Wilton Road, being the nearest local library facility which would serve the development site. The library facilities contribution would be £1,090 (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 digital services e.g. e-books, tablet provision, etc. to account for additional use from the proposed development. It will be placed under project no. MEL008. There are currently four other obligations under MEL008 that have been submitted for approval.

NHS facilities

The development is proposing 36 dwellings which, when based on the average occupancy of a practice dwelling of 2.42 would result in an increased patient population of approx. 87 patients. An increase in the practice list will create additional pressure on clinicians and admin teams. A contribution of £7,903.84 is

requested for the expansion of facilities at Latham House.

Severn Trent Water

No objection subject to a condition and informative.

Condition

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Trent Valley Internal Drainage Board

The site is outside of the TVIDB district but within the Board's catchment. There are no Board maintained watercourses in close proximity with the site. Surface water run-off rates to receiving watercourses must not be increased as a result of the development. The design, operation and future maintenance of site drainage must be agreed with the LLFA and LPA.

Designing Out Crime Officer

Potential access to the site is via a single entry point off Longcliff Hill with public open space to the right side. To the left side are proposed new dwellings. Immediately after this point the roadway splits into two routes through the site. This is a good solution as the roadways are separate and have a turning point at the ends. The single entry road does offer security benefits and I recommend the use of a symbolic entry point, using different materials and signage to deter unauthorised access.

Also should consider the use of CCTV coverage of key positions. The potential benefit of this would be to deter unauthorised entry. The use of a single CCTV camera to capture images of persons or vehicles would be a significant deterrent to potential offenders and offer the Police a direct line of enquiry if required. Supporting lighting at this access point is recommended as this is the most vulnerable position for residents and visitors.

The potential for open space in this area is to the right of the single entry road, which is a benefit as should a CCTV camera be positioned near the entry road to capture number plate images, a second camera to cover the open space would be cost effective due to its proximity to the first unit. Both areas would then be secure and offer a safe environment for residents.

Vehicle security is an issue to be aware of at this location due to the communal parking spaces at various points such as plot 5 to 8 with 6 spaces. Also plots 3 and 4 have 4 spaces in a line. I recommend supporting lighting to improve their security and to deter potential offenders.

1. Street lighting columns to BS 5489 are recommended.
2. Appropriate fencing should be used to enclose the perimeter and is recommended to be 1.8m in height. This can be via planting or manufactured fencing.
3. Key access points leading into the development should be considered for CCTV coverage supported by lighting to allow identification during day and night. This

would allow vehicle and facial recognition in key areas. Appropriate signage should be in place to be compliant with the Data Protection Act.

4. Natural surveillance should be possible via ground level foliage being trimmed to 1m high and trees to have no foliage lower than 2m from the ground to allow a clear field of vision.

5. Vehicular parking is recommended to be in curtilage as part of the dwellings where possible. Communal parking should be supported by natural observation, lighting and be set in clearly defined areas to deter unauthorised access.

6. Consideration of Secured by Design principles is recommended and information in respect to the different standards is available on request.

Condition

No development above ground shall commence until details of illumination for the car parking areas serving Plots 1-8 have been submitted to and approved in writing by the Local Planning Authority. These approved details shall be implemented prior to the first use of the area for parking of residents vehicles and shall thereafter be so maintained.

Appendix B : Summary of representations received

Principle of Development

In 2018 the Secretary of State upheld Melton Borough Council's refusal to grant planning permission in respect of residential development of 45 houses at Queensway. The reasons for agreeing that planning permission should be refused included there are in Old Dalby insufficient school places, that public transport is limited to a 2 hourly service, that there are minimal local services and a poor infrastructure to support new housing. Since then the Council has approved 72 houses behind Station Lane. The village is being swamped by new housing beyond the capacity of the village to absorb the demands arising.

In addition this application increases the number of dwellings beyond the previous outline approvals by a further 4 houses all apparently squeezed into what had been 17/00743/OUT outline approval. The outline planning approvals referred to in this application were for a total of 35 houses on three sites. The applicant now requests approval for 36 houses, but this is in addition to three already under construction on a site that is considerably smaller than the original three combined.

It appears an attempt to hide social housing behind fences and hedgerows.

Since the approval of previous permissions on this site the Neighbourhood Plan has been adopted.

Impact on Footpath

The proposal creates a new public footpath to replace the current which it acknowledges as currently running adjacent to dense hedgerow and alongside open farmland. That new footpath will have a fence on one side and garages on the other. It will have to cross 3 access roads which will pose a significant danger to walkers.

The application proposes to eradicate a section of the long standing public footpath

and the nature corridor and hedge adjacent to it. There are no proposals made in this application as to how walkers are intended to reach the public footpath at the far end or the site either after the site is completed.

Loss of Trees/Hedges

Trees are to be removed.

The proposed hard paving for driveways comprises the root zones of several of these trees. The trees will be close to the new dwellings which is not recommended on shrinkable clays.

Highways

The Transport study assesses that there will be some 50 additional car journeys each day, one every 2.5 minutes at peak times. The Highway Authority suggests this is an underestimation. The study suggests that the main route to be taken will be along Longcliff to join Main Road, both already acknowledged as congested due to the relative narrowness and increasing size of farm vehicles and with a junction which has visibility issues not addressed in this application.

Longcliff Hill is hazardous to traffic and pedestrians due to it being a narrow road with limited offstreet parking and many cars being parked on the side of the road. This is exacerbated by a sharp 90 degree, fairly blind, bend at the foot of this hill in the same location as the entrance to and exit from this development. The development splay should be enhanced to maximize visibility for both drivers and pedestrians and hence minimise the risk of accidents and harm.

Understand that access is still possible near the end of the road to East Lodge. If this could be used then the whole hedge would remain intact.

Visual Impact

There are 3 storey house proposals and lighting proposals all of which will increase the invasion of the countryside.

The proposal pushes housing beyond the approved confines leading to urban sprawl.

The design of the houses is not in keeping with adjoining existing properties on Longcliff Close. 1-4 Longcliff Close overlook this development and are 2 storey with the first floor being partly in the roof space. The plots on the plan closest to the existing houses are three storey and I assume much taller than existing properties. Three houses are currently being built on Longcliff Hill (18/00571/FUL) that are of a similar design to those planned and these houses do not fit in with the existing look and feel of the village. They are very imposing being much taller than surrounding houses and are squashed in, giving very little feeling of space.

Ecology

Where possible, development proposals should seek to increase tree and woodland cover with appropriate planting, hedgerows retained and protected, where loss is unavoidable, it should be mitigated with replacement planting of locally appropriate

native species.

The removal of the hedge results in unnecessary harm to wildlife.

S.106 Contributions

The development should be required to fund the cost of safe pedestrian access between the new houses and both the primary school and preschool. There is an access for the former along the path towards the cricket club. However, the access for the latter is on the Main Road school turning circle so there should ideally be a continuous pavement to and from that, or if there is no option but to cross the road, then a safe crossing point for small children with adults should be established.

The development should be required to make a s106 financial contribution to the necessary renovation of the Old Dalby Village Hall, based upon these new 36 houses adding around 15% to the number of properties within the village itself.

Consider this to be a piecemeal development designed to thwart any contribution to our village due under Section 106 arrangements. This includes the oversubscribed village school, community facilities such as the village hall and play park, increased burden on our transport infrastructure such as Nottingham Lane, increased burden on local medical facilities.

Petition

The developers have wilfully and knowingly created access difficulties by building at the front of the site (18/00571/FUL) and hence creating a problem which we do not consider should be addressed by the loss of the public footpath and right of way. The developer is seeking to increase the number of houses beyond that previously agreed by the Planning Committee - from 7 to 11, - for which there is no justification and which is contrary to the Local and Neighbourhood Plan as applied to Old Dalby.

It is proposed to remove the ancient public footpath and nature corridor and replace it by an estate road and pavement which will traverse 7 driveways and prove unsafe and unattractive to walkers. This is contrary to the intent of the Town and Country Planning Act and advice therein.

Appendix C: Recommended Conditions

1. The development shall be begun before the expiration of three years from the date of this permission.

2. The development shall be carried out in accordance with the following plans:

7737-03-01 Rev O

7737-03-14 Rev B

7644-03-13 Rev B

7737-03-12 Rev B

7737-03-10 Rev B

7737-03-09 Rev C

7737-03-08 Rev D

7737-03-07 Rev D

7737-03-06 Rev D

7737-03-05 Rev C

7737-03-04 Rev C

7737-03-03

7737-03-16

7737-03-02 Rev A

3. No development shall commence on site until all existing trees and hedges 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.

4. 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.

5. 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.

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

7. Notwithstanding Drawing No. 7737-03-01 Rev O the Public Footpath shall comprise of 2 metre wide tarmac surface with a 1 metre uncluttered verge either side throughout its length within the development site.

8. Notwithstanding Drawing No. 7737-03-01 Rev O the Public Footpath shall be provided with a hand-gate in the perimeter fence in the north eastern corner of the site compliant with LCC standard drawing SDFP11_REV_A.

9. Prior to completion of the development, the Public Footpath should be sign posted

from the point where it leaves the new estate road with a LCC standard footpath fingerpost compliant with LCC standard drawing SD/FP/7.

10. No development shall take place until a programme of archaeological work, informed by with an initial phase of trial trenching, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and the programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme), the programme for post-investigation assessment, provision to be made for analysis of the site investigation and recording, provision to be made for publication and dissemination of the analysis and records of the site investigation, provision to be made for archive deposition of the analysis and records of the site investigation, nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

11. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition.

12. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

13. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

14. No development above ground shall commence until details of illumination for the car parking areas serving Plots 1-8 have been submitted to and approved in writing by the Local Planning Authority. These approved details shall be implemented prior to the first use of the area for parking of residents vehicles and shall thereafter be so maintained.

15. All ensuite and bathroom windows shall be glazed with densely obscured glass. All side facing windows serving bedrooms in plots 5-8, 11-16, 19-20, 32-33, 29-30 and 35 shall be glazed with densely obscured glazing. This arrangement shall thereafter be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

16. Notwithstanding the details shown on the approved plans and documents, details of the materials to be used in the construction of the external surfaces shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of any works above damp proof course level of the buildings hereby permitted is carried out.

17. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition

and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development.

18. 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.

Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

2. For the avoidance of doubt.

3. In order to ensure the long term health of the trees and hedges to be retained.

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

5. 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.

6. 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 surface water drainage system (including sustainable drainage systems) within the proposed development.

7. To provide an all-weather route in the interests of amenity, safety and security of users of the Public Rights of Way in accordance with Paragraph 75 of the National Planning Policy Framework 2012.

8. To ensure access to the Public Footpath is retained in accordance with Paragraph 75 of the National Planning Policy Framework 2012.

9. To ensure the path is easy to follow through the development in the interests of amenity, safety and security of users of the Public Rights of Way in accordance with Paragraph 75 of the National Planning Policy Framework 2012.

10. To ensure satisfactory archaeological investigation and recording.

11. To ensure satisfactory archaeological investigation and recording.

12. To ensure satisfactory archaeological investigation and recording.

13. To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem

and to minimise the risk of pollution.

14. In order to minimise the risk of crime.

15. In the interests of residential amenity.

16. In the interests of visual amenity.

17. In the interests of visual and residential amenity.

18. To ensure the provision and maintenance of landscaping.

Appendix D : Applicable Development Plan Policies

Local Plan

- Policy SS1 Presumption in Favour of Sustainable Development.
- Policy SS2 Development Strategy.
- Policy C1 (A) Housing Allocations (OLD1).
- Policy C2 Housing Mix.
- Policy C3 National Space Standard and Smaller Dwellings.
- Policy C4 Affordable Housing Provision.
- Policy EN1 Landscape.
- Policy EN2 Biodiversity and Geodiversity.
- Policy EN8 Climate Change.
- Policy EN11 Minimising the Risk of Flooding.
- Policy IN2 Transport, Accessibility and Parking.
- Policy IN3 Infrastructure Contributions and Community Infrastructure Levy.
- Policy D1: Raising the Standard of Design.

Broughton and Old Dalby Neighbourhood Plan

- Policy S1 Limits to Development
- Policy H1 Housing Provision

- Policy H3 Windfall Sites
- Policy H4 Housing Mix
- Policy H5 Affordable Housing Provision
- Policy H6 Housing Design
- Policy ENV6 Footpaths and Bridleways
- Policy ENV9 Biodiversity
- Policy BE5 Broadband