

18/01183/FUL Land off Land Off Colston Lane, Harby

Erection of 65 dwellings with associated access, landscaping, surface water attenuation and infrastructure.

Applicant: Crofts Developments Limited

1. Summary:



The site is 3.6 hectares of mixed brownfield and greenfield land located outside the village of Harby. The adjoining site comprises of a former void dairy factory which has also secured permission for residential development. The land to the north west leads to the Grantham Canal. Mill Farm is located in close proximity opposite the site. The immediately surrounding area is rural in character.

2: Recommendations:

It is recommended the application is APPROVED, subject to:

- (i) Completion of a S106 agreement securing :
 - Appropriate Affordable Housing to include, Mix, Number, Type and Distribution to meet identified local needs
 - Financial contributions towards the provision of:
Education : Primary £ £267,033.60 Secondary £182,158.17
Travel Packs : £52.85 per pack
Bus Passes : £360.00 per pass
Bus stops furniture: £460.00
 - NHS Facilities (Latham House): £41,057.33
 - A proportionate financial contribution towards the provision of a new village hall for Harby based on the percentage increase in the number of dwellings within the village (£190,692.75).
 - Conditions as set out in Appendix B

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. It is considered that the above requests meet with the requirements of the Regulations.

3: Reasons for Recommendation:

1. The application site is allocated for housing in the Melton Borough Local Plan and Neighbourhood Plan, and outline planning permission for residential development has previously been granted (16/00318/OUT). The principle of the development has therefore been established.
2. The proposal as revised would result in a form of development that would be sympathetic to the character of the locality by virtue of its appearance, design, layout and scale and would not compromise residential amenity or be prejudicial to highway safety. For these reasons, the proposal is considered to comply with Policy D1 of the Melton Local Plan and the design requirements of NPHAR 4 and 5 of the Neighbourhood which requires all new development to be sympathetic to the character of the area in which the site is located and makes several site specific requirements.

4: Key factors:

Reason for Committee Determination

This application is being considered by the Committee in view of its scale and significance and that it is an allocated site in both the Local Plan and Neighbourhood Plan.

The application is also required to be considered by the Committee to enable authorisation to be given to vary the existing legal agreement concluded at the outline application stage with regard the amount of affordable housing provision.

Relevant Policy Context

The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

Adopted Melton Local Plan (MLP) 2011-2036

The Melton Local Plan was adopted in October 2018 and is the Development Plan for the area. The land is allocated for residential purposes (Ref HAR4). The following policies are relevant;

- **Policy SS1 – Sustainable Development** seeks to secure development proposals which promotes and improves economic, social and environmental conditions in an area;
- **Policy SS2 - Development Strategy** sets out how development will be distributed across the Borough in accordance with a spatial strategy that states that Service centres and Rural Hubs will accommodate up to 35% of new housing on a proportionate basis;
- **Policy D1- Raising the Standard of Design** requires all new developments to be of high quality design;
- **Policy C1 (A) Housing Allocations** - seeks to ensure that Housing proposals are delivered within the sites allocated within the Local Plan subject to certain requirements;
- Policy HAR4

Policy HAR 4: development of site reference HAR 4 will be supported provided:

- i. The development addresses the frontage to Colston Lane and has an

active road frontage on the approach to the village;

- ii. there are biodiversity/ecology improvements within the site and there will be no adverse impacts to any protected species;
- iii. a footpath link has been put in place linking the site to the village;
- iv. the northern and western boundaries are sensitively treated with the addition of attractive edging, additional landscaping and sensitive and improved boundary treatments.

Clawson, Hose & Harby Neighbourhood Plan (NDP) Plan 2017-2036

The Neighbourhood Plan was adopted in June 2018 and allocates the site for residential development, subject to various design and access criteria within Policies NPHAR 4 and NPHAR5 as follows:

NPHAR4 & NPHAR5 Colston Lane - Development of the site will be supported provided:

- it is about 50 dwellings, limited to two storeys high;
- vehicular access is sited away from the bend near the retained farmhouse;
- footpath connection from the village to the site is improved;
- the layout addresses the frontage to Colston Lane, creating a rural feel;
- a new, mixed native species boundary hedge is planted;
- extra landscaping is provided to soften the north-eastern boundary;
- an internal footpath link is provided to enable connection with the adjoining site, NPHAR6, and the canal footbridge to the north with consideration given to sharing open space provision with NPHAR6;
- there are biodiversity/ecology improvements within the site.

National Planning Policy Framework (Feb 2019)

The Local Plan has been examined and it has been concluded it is compatible with the original NPPF 2012 version and that there are not considered to be any changes in the subsequent 2019 version that renders the policies applicable to this application to be considered 'out of date'.

Relevant History

The site is allocated for residential development in the Melton Local Plan ref HAR4.

16/00318/OUT - Outline application for the erection of 50 dwellings with associated

access, landscaping and infrastructure at Land Around Sherbrook House and Millway Foods, Colston Lane, Harby - permitted subject to the completion of an agreement under S106 for the quantities set out in the above report to secure:

- Contribution to sustainable transport options
- Contribution to primary education
- Contribution to provision of village hall
- Contribution to maintenance of public open space (or alternatively conditions)
- The provision of affordable housing, including the quantity, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs

Adjoining Site (Millway Foods)

15/00673/OUT Planning permission for the development of the adjacent Millway Foods site with 53 dwellings granted on appeal in December 2016 now identified as an allocated site (LP Ref HAR3), in the Melton Local Plan.

Main Issues

The key issues for this application are considered to be:

- Principle of development and the increased number of units
- Impact of appearance, layout and scale upon the character of the area
- Impact upon residential amenities
- Transportation

Other Issues

- Drainage

5: Report Detail:

5.1 Principle of development

Members will recall that an outline application for 50 units on the site (Ref: 16/00318/OUT) was granted planning permission on the site. The principle of the development was established with this decision and by virtue of its allocation in both Local and Neighbourhood Plan..

The scheme is to be considered to be in accordance with Policies set out within SS2 and C1(A) (site allocations) of the Melton Local Plan.

With regard to the acceptability of the current full application details, this is addressed below, where the proposal is assessed against the other relevant policies of the Melton Local Plan.

5.2 Impact of general appearance, design, layout, scale upon the character of the existing landscape and surrounding countryside

Policy D1 of the Melton Local Plan requires new development to be of high quality design. In rural areas the revised NPPF requires planning decisions to be responsive to local circumstances and support housing proposals that reflect local need. The NPPF identifies the creation of high quality places and buildings as being fundamental to what good planning should achieve. Good design in turn is viewed as a key aspect of sustainable development. The revised NPPF specifically requires design quality to be considered throughout the evolution and assessment of individual proposals and has sought to strengthen design policy particularly to aid housing delivery. Developments are required to be visually attractive as a result of good architecture, layout, and appropriate and effective landscaping. The revised NPPF states that planning permission should be refused for development of poor design. Just as importantly, the NPPF requires planning authorities to ensure that the quality of approved developments does not become materially diminished between permission and completion, as a result of changes being made to the permitted scheme.

Policy HAR4 of the Local Plan which allocates the site sets out various requirements in terms of layout and design these include the following:

- The development should address the frontage to Colston Lane and has an active road frontage on the approach to the village;
- Securing biodiversity/ecological improvements within the site;
- A footpath link be put in place linking the site to the village;
- The northern and southern boundaries be sensitively treated with improved boundary treatments and landscaping;

Neighbourhood Plan Policies NPHAR 4 and 5 are similar in content setting out various design and layout criteria (see section 4 above).

In assessing this proposal, with regards to layout, the development seeks to build on the illustrative layout plan considered at the outline stage. The site in part is marked by mature hedging/planting and trees forming an established boundary. This development would have an important impact on the rural character of the area and the proposals would alter the appearance of the application site.

The applicant's view is that the submitted housing scheme is of a sufficient quality. Notwithstanding this view, Officers have sought and secured design changes to the appearance and layout of the scheme which include the following;

- Introduction of dummy chimneys to help break up the roofscapes and individual blocks;

- Provision of diversity to the scheme by introducing a variety of front entrance doors with a variety of styles and colours;
- Consideration has also been given to the introduction of more and different external surfacing materials; and
- More space and consideration given to enhanced planting and biodiversity

The development essentially consists of predominantly two-storey dwellings arranged around a main vehicular access point leading to a series of cul de sacs and private driveways. The plot sizes remain largely uniform in terms of scale, design and appearance. The scale of the development on this agricultural piece of land is considered to be acceptable.

The proposed housing would need to be viewed in the context of the existing village of Harby. The revised layout follows basic design principles and the current development is seeking to provide an attractive frontage along the street creating a defined street scale as promoted within the Local and Neighbourhood Plans. Space has also been designed to allow for enhanced tree planting and general planting which can be controlled by condition. On the whole the layout maintains a back to back relationship which allows for adequate levels of privacy for future residents. Each dwelling would benefit from having its own usable sized private garden. With regard to appearance the proposed dwellings would be two-storey and of modern appearance and of brick and tiled construction. Care would need to be taken with the materials to be used on the external elevations, however this can also be addressed by condition. Details of the chimneys and their numbers also need to be controlled.

The scheme was reviewed by an independent design panel (OPUN), the applicants have responded positively. The applicant's Design Team undertook further design work to strengthen the proposals. The OPUN review stressed the importance of undertaking a strategic approach to the open spaces, this has resulted in a development strategy towards dealing with the delivery of improved landscaping particularly on the southern part of the site. Additional planting would be provided along the boundary to filter views of the proposed development with a view to creating an "an attractive gateway to the village". Following a design meeting with the applicant's advisors, Members should also note that a pedestrian connection to the Grantham canal has been introduced, running along the site boundary adjacent to the Dairy site, allowing for future pedestrian connections to the Dairy Site, when it is developed in the future. This link through the centre of the site, would effectively connect Colston Lane to the open space/sustainable drainage area in the north and this feature is a requirement of Neighbourhood Plan Policy NPHAR 4 and 5. This link is denoted through the use of feature tree planting that provides focal features enticing people through the site, via a new central open space. The revised details have also led to an agreement that the north western part of the site would be retained in open form to safeguard views of the site to retain the natural, rural character of this area of the countryside.

A reasonable sized communal open space has been centrally located as a feature and this would be overlooked by surrounding houses. It is anticipated by the applicants that this would provide "opportunities to include seating and areas of natural play". Personal safety and natural surveillance are to be incorporated as part

of the overall final design solution. The applicants have agreed to provide ornamental hedging as the key boundary treatment to the front of plots where they face streets. Care has been taken to improve connectivity both within and externally to Harby, including the footpath connection referred to in Policies NPHAR 4 and 5 . These alterations are considered to be acceptable, and accord with the overall aims and objections of policy D1.

5.3 Layout

The applicant's advisors point out that the layout has been specifically revised "to ensure buildings end key views, such as the position of plots 44/43, 50, 25-27 and 13. The layout also attempts to introduce a looser built form, akin to the character of Harby, by breaking up some of the more formal runs of dwellings found within the original scheme. The build line is more organic, following the line of the proposed streets, where appropriate.

It is concluded that the proposal as revised has been largely designed to fit in its surrounding context. This revised scheme seeks to respect the visual relationships of its immediate locality. The principle of residential development has been previously accepted and the proposal with safeguarding conditions is considered acceptable and in accordance with Policy D1 and the relevant parts of HAR4. The revised parking layout complies with the Highway Authorities standards. Additional spaces for visitors have been provided within the site.

5.4 Transportation Matters

The applicants would continue to propose to provide vehicular access located off Colston Lane as approved by the outline planning permission. This is away from the bend as specified by Neighbourhood Plan Policy NPHAR4 and 5. This would operate as the sole point of access. The proposed revised internal access arrangements would lead to a series of cul – de - sacs being provided within the site to serve the proposed development. Discussions have taken place with the Local Highway Authority and they have no significant concerns to prevent permission being granted. The street typologies and parking strategy has been reviewed to ensure they meet County Highways standards. Details of the vehicular access arrangements are considered to be acceptable. Parking meets or exceeds standards, with 3 bedroom houses mostly provided with 3 spaces in accordance with Neighbourhood Plan Policy T4 'Parking'.

5.5 Affordable Housing

A S106 agreement will be required to secure affordable housing on the site. The submitted details indicate affordable units would be provided to include both for social rent and for intermediate housing. The applicants have been made aware by Planning and Housing Policy Officers that your Committee would wish to see a good mix including affordable home ownership types. This would include provision for shared ownership, discounted market sale and starter homes. The applicant's advisors have agreed to this in writing (14 rented and 6 intermediate housing) are currently being offered, but 21 affordable houses comprising a mix of 15 affordable

rent, 2 x shared ownership; 2 x discounted market sale and 2 x starter homes is currently proposed, dispersed in 3 separate small groupings across the site and with 'local connection' occupation criteria in accordance with LP policy C3 and Neighbourhood Plan Policy H6 'Affordable Housing'.

5.6 Increase in Numbers and Quantity above the NP policy allocation

This application seeks to increase the number of dwellings from that approved at outline stage from 50 units to 65 dwellings. This has been achieved primarily by increasing the number of properties fronting along Colston Lane. Concern has been expressed that the numbers of units proposed in this scheme do not reflect those in the Neighbourhood Plan for the area (stated as 'about 50') or the outline consent, and suggest this would result in a policy conflict.

The site is allocated within the adopted Local Plan, and it is considered that the increase in the number of dwellings achieves a better design in terms of layout than that which would be achieved by fewer dwellings on the site.

The housing mix has been primarily amended to increase the amount of two bed dwellings, remove the 5 bed dwelling and to ensure the affordable housing is policy compliant in these respects. This will more closely meet the housing mix objectives within both the adopted Local Plan and Neighbourhood Plan, including the desire for bungalows and priority given to dwellings of 1, 2 and 3 bedrooms expressed in Neighbourhood Plan policy N5 (Housing Mix): 78% of the site meeting this description. In addition, the house types have also been reviewed to ensure they comply with the national internal space standards. The revised layout would seek to maximise the land use as advocated by the NPPF.

The housing mix proposed comprises:

4 x 1 bedroom

21 x 2 bedrooomed

26 x 3 bedrooomed

14 x 4+ bedrooms;

which includes provision of 4 x 1 and 2 bedrooomed bungalows.

Legislation sets out that where Plans are in conflict with one another on a policy matter, the most recent document should take precedence (s38(5) of the Planning and Compulsory Purchase Act 2014). In this instance the Local Plan is most recent (October 2018), the NP being adopted in June 2018.

The question of the capacity of individual sites was raised in the Local Plan

Examination in February 2018. The Inspector concluded in general terms as follows;

*93. The detailed site policies in Appendix A of the Plan are, for the most part, sufficient for their purpose. The Plan should be read as a whole, and planning applications on the sites will be assessed accordingly. Where necessary I have recommended MMs to Appendix A. Also, **the capacity figures listed in Policy C1(A and B) and Appendix A for each site allocation are not intended as targets to be achieved or caps that should not be exceeded.** Rather, they are indicative figures only, based on the best available evidence, including planning permissions as at 31 March 2018 and the ASF3 appeal decision (see paragraphs 100-101 below), and where relevant, they will be tested through detailed planning applications in due course.*

*95. **The housing targets for the settlements are not intended as a ceiling,** and detailed proposals for both the C1(A) and C1(B) sites will be considered on their merits against the relevant policies.*

With regard to Harby, Hose and Long Clawson specifically the conclusion was as follows:

108. Each of these settlements has its own distinct identity but they share a number of services and are within the same NP area. The estimated capacities of the submitted Plan's allocations in these settlements exceed their residual requirements, and in the case of Harby and Long Clawson, by a significant extent.

*109. In this context, I have considered whether HAR5 is required as a reserve site. However, the Plan is sound in seeking to ensure that there will be sufficient delivery of housing to meet needs over the Plan period, and the reserve site provides an appropriate level of flexibility in this regard. And while the PolicyC1(A) allocations in Harby have a capacity for about 128 dwellings, **there is no convincing evidence that this scale of growth could not be adequately serviced or that it would be unsustainable in other respects.***

On the basis of the above, the design and housing mix proposed and that no evidence has been submitted to demonstrate that development at this scale (either individually or cumulatively) could not be serviced or becomes unsustainable, it is considered that exceedance of the limit identified in the Neighbourhood plan is justified.

5.7 Sustainable attenuation works

In addition to the housing, the layout plan indicates an area for the sustainable attenuation works/ponds/swales to be provided in the North western corner of the site. This area also offers an opportunity to enhance the site and provide opportunities for biodiversity improvements. The details of its appearance and design can be controlled by conditions. With regard to the landscaping of this element the applicants have accepted the need to provide enhanced landscaping and boundary treatment including the provision of good quality street trees to prevent the scheme looking sparse and urban in form. This matter has been conditioned.

Other Issues

5.8 Impact upon residential amenities

It is considered that the proposal would comply with Policy D1 of the Melton Local Plan which requires new development to ensure that the amenity of future occupiers and of neighbouring properties should not be compromised. The proposals ensure that a minimum back to back distance of 20m is achieved throughout in order to protect residential amenity space, and where a principal window of a habitable room is directed to face the blank wall of a neighbouring dwelling, the distance between the two dwellings is a minimum of 12m. Whilst these circumstances are not ideal, taking the scheme as a whole they are considered to be acceptable.

5.9 Drainage/Foul Water

The Local Lead Flood Authority subject to conditions raise no objections to the details submitted in the revised plans. The Environment Agency has no objections.

5.10 Sustainability

Concern has been raised on this issue by local residents. Members will be aware of the appeal decision relating to the adjoining Millway Foods site. The Inspector in considering this matter, noted that the site was within walking distance of Harby, where some services were available, there was also a reasonable bus service providing links to larger centres offering employment and other opportunities which adjoins the application site and concluded the site would be in sustainable location. In considering this issue, it is accepted that routes would be improved and the proposal would help improve sustainability in the locality and would eventually enhance and seek to enhance the vitality and the surrounding rural community.

5.11 Conclusion

The previous outline planning permission and allocation within both parts of the Development Plan (LP and NP taken together) established the principle of the nature and form of the development proposed. It is considered that the revised proposals have been designed to be reasonably sympathetic to the local character and it would not result in the creation of an unpleasant neighbourhood subject to conditions securing further details.

The submitted details relating to the layout, design, landscaping and external appearance are considered acceptable in principle. It is considered that the proposal would comply with Policy D1 of the Melton Local Plan and NPHAR4 & NPHAR5 which requires new development to be of high quality design and to be sympathetic to the character of the area and the aims and objectives of the revised NPPF.

The development is considered acceptable for the following reasons;

- The principle of residential development is supported on policy grounds with

an outline consent and the site has been allocated in both the Local Plan and Neighbourhood Plan for housing;

- The development would deliver local housing need; and
- It would deliver a mix of market and affordable housing.
- It adequately satisfied the site specific requirements of Policies HAR4 and NPHAR 4 and 5.

Consultation & Feedback

Surrounding occupiers were notified and notices posted.

9 letters of objections were received these can be summarised as follows;

- The traffic generation from the proposed development has not been properly considered, it would be prejudicial to highway safety and the Transport Statement is inaccurate;
- Proposal is not a sustainable form of development;
- Number of units are inappropriate for the village and greater than initially planned for and should not be permitted;
- Proposal would adversely affect the biodiversity of the locality;
- Increased pressure would be placed on amenities and the village school;
- Proposal along with other allocated sites would have a cumulative detrimental affect;
- Conflicting evidence has been submitted within the supporting documentation;
- It conflicts with the allocation in the Neighbourhood Plan;
- The proposed materials and the general appearance and design lacks diversity;
- Village is already providing more than its share of new housing;
- Proposal would undermine social cohesion and faith in the Neighbourhood Planning Process; and
- A significant contribution for education provision should be sought;

Financial Implications:

Legal costs for preparing the S106 Planning Agreement (to be borne by the applicant)

Background Papers:

Planning Application File 16/00318/OUT - Outline application for the erection of 50 dwellings with associated access, landscaping and infrastructure

Appendices:

A: Summary of Statutory Consultation responses
B: Planning Conditions
C: List of Planning Policies

Report Timeline:

Assistant Director Approval

17th September 2019

Report Author: Reddy Nallamilli - Development Management

☎: 01664 502427

Appendix A : Summary of Statutory Consultation responses

Parish Council (NB no comments received in relation to final amendments, Aug. 2019)

The Parish Council has the following objections to the amended plans for this application:

- It is contrary to the Neighbourhood Plan policies
- H2 which supports about 50 dwellings, not 61;
- H5 Site does not include any bungalows which are classed a priority;
- H7 b) Affordable housing should be mixed in with the private housing to reflect

village diversity;

- H7 I) No close boarded fencing to be used
- ENV4 A hedge should be planted to divide the site from the Old Dairy site;
- No indication is given as to who will own and maintain the play area and SUDS; For safety a post and rail should be put around the SUDS;
- Application does not include street lighting. Street lighting should be identical to other lighting in Harby and should be maintained by LCC not the Parish Council

In addition, various comments made should the application be amended to circa 50 dwellings

LCC Archaeology

Raise no objections to the revised scheme and additional information subject to conditions.

LCC – Lead Local Flood Authority

Revised Submission

Sufficient revised details have been submitted to advise that the proposed development would be considered acceptable subject to safeguarding planning conditions being attached.

LCC Ecology

The site contains no significant habitats of value. The site could provide opportunities for biodiversity enhancement sufficient details and a 10m buffer area between the development and Grantham Canal should be maintained.

LCC – Highway Authority

Original submission

Satisfied that the development would not increase the Highway Safety risk and the impact from the increased trip generation is considered acceptable.

The internal road layout is not up to adoptable standards and further plans are requested to ensure that the internal road work meet with their adoption standards. So marking spaces are below standard and visibility splays will need to be provided.

Contributions expected towards bus stop improvements and travel packs and 6 month bus passes.

Revised Layout

Request amended plan requiring visibility splays to be provided.

LCC – Access Officer

Original submission

No objection

LCC – Developers Contributions

Original submission

Financial contributions are expected for the following;

Libraries, Education facilities.

Severn Trent Water

Original submission

Condition requested to deal with surface water and foul water drainage

Environment Agency

No objection.

MBC – Environment Health

Original submission

Advise conditions relating to contamination related matters are attached.

MBC – Building Control

Proposal appears to provide suitable access for both fire and waste services

Leicestershire Police – Designing out crime officer

Original Submission

No objections raised to the principle of the layout it is considered to be permeable, advises applicant to consider crime deterrent features and if appropriate S106 contributions

East Leicestershire & Rutland Clinical Commissioning Group

Original Submission

Request financial contributions towards improvements

Canal & River Trust

Revised Submission

No further comment to make

OPUN Architecture East Midlands

Having reviewed the initial submission advised the following should be considered;

- Development of a comprehensive landscape strategy;
- Establishment of a tree strategy;
- Strengthen the approach to drainage;
- Create hierarchy of open spaces;
- Ensure a landscape led approach;
- Improve pedestrian connectivity;
- Redesign the layout and appearance of the houses to reflect the character of the village;

Harby Village Hall Committee of Management

The committee has produced a proposal for a new village hall. The formula which it sets out and can be viewed on file has been applied to and accepted in recent planning decisions in Harby, including the outline permission granted on this site in 2017. This proposal would increase the number of dwellings in the village of Harby by 15.66%. Based on the known cost of the construction of a new village hall, this would equate to £190,692.75 (15.66% of the known build cost of £1,217,706.00).

Appendix B : Summary of conditions

1. The development hereby permitted shall be begun no later than three years from the date of this permission.

REASON: In order to comply with the provisions of Section 91 of the Town and Country Planning Act, 1990, s amended by Section 51 OF THE Planning and Compulsory Act 2004.

2. The matters hereby granted shall be completed strictly in accordance with the following approved plans and details;

- Site Location Plan P18_0766_001
- Planning Layout P18_0766_003 REV F
- Site Section P18_0766_007
- Design and Access Statement P18_0766_200 REV A
- Illustrative Landscape Masterplan P18_0766_10A REV A
- House Type Pack P18_0766_201 REV A

Reason: For the avoidance of doubt.

3. Prior to the commencement of the development hereby permitted, details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to the Local Planning Authority in writing for approval. Sample panels of the proposed surfacing materials (Brickwork and tiles) at a least a metre squared (showing where appropriate the proposed coursing, method of pointing and colour of mortar) shall be erected on for consideration and subsequent approval. The panels shall be retained on site until the completion of the works. The development shall be implemented in accordance with the approved details.

Reason: To protect the visual amenities of the locality and comply with Policy D1 Adopted Melton Local Plan (MLP) 2011-2036 and comply with the aims and objectives of the NPPF.

4. Prior to the commencement of the development hereby permitted, details of the design, appearance, positioning and numbers of chimneys to be used in the construction of the individual dwellings of the development hereby permitted shall be submitted to the Local Planning Authority in writing for approval. The development shall be implemented in accordance with the approved details.

Reason: To protect the visual amenities of the locality and comply with Policy D1 Adopted Melton Local Plan (MLP) 2011-2036 and comply with the aims and objectives of the NPPF.

5. Prior to the commencement of the development hereby permitted, details of a soft and hard landscaping scheme shall be submitted in writing to the Local Planning Authority for written approval. The scheme shall include the following;

- a) Fully annotated planting plans showing the locations of individually planted semi – mature trees (which shall include Tilia Cordata Greenspire and Tilia Cordorta Rancho, shrubs and hedging. Other information shall include planting schedules, noting species, plant sizes and proposed numbers and densities, method of cultivation and details of the proposed planting implementation programme;
- b) A five year aftercare scheme for the landscape management plan and maintenance which shall provide a replacement tree of the same species and size as that originally planted within a period of 5 years from its day of planting, is uprooted, removed or is destroyed or dies or in the opinion of the Local Planning Authority becomes seriously damaged or defective;
- c) Details of the treatment of all parts on the site not covered by buildings;
- d) Details of the sting, appearance and design of bird/bat brick/boxes to be incorporated in to the development;
- e) Details of the layout, design, biodiversity enhancement, boundary treatment and planting for the swales/drainage infrastructure;
- f) Details of the surfacing materials for the pedestrian circulation areas, paths,

internal access road and parking spaces.

The permitted development shall thereafter be implemented in accordance with the approved details.

Reason: To protect the visual amenities of the locality and comply with Policy D1 Adopted Melton Local Plan (MLP) 2011-2036 and comply with the aims and objectives of the NPPF.

6. The approved landscaping details agreed in Condition 5 above shall be implemented in full no later than the end of the first planting season available after the development hereby permitted being brought into first occupation.

Reason: To secure the satisfactory development of the site and comply with Policy D1 Adopted Melton Local Plan (MLP) 2011-2036 and comply with the aims and objectives of the NPPF.

7. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved CEMP. The CEMP shall be carried out in accordance shall be carried out in accordance but not necessarily be restricted to the following details;

- a) Details of the siting of all vehicles of site operatives and visitors;
- b) The location of, extent and duration of any temporary stockpiling areas;
- c) Measures to prevent mud and debris being deposited on the surrounding highway;
- d) A site waste Management Plan
- e) A Traffic Management Plan incorporating the routing construction traffic details of heavy vehicle movements patterns (including the earliest and latest times and suspension of trips during peak local traffic times);
- f) Details of the parking and siting of all vehicles of site operatives and visitors on a scaled plan;
- g) A tree protection plan
- h) A Programme of implementation for items a- g

Reason: To secure the satisfactory development of the site, 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, protect amenities and comply with Policy D1 Adopted Melton Local Plan (MLP) 2011-2036 and comply with the aims and objectives of the NPPF.

8. No external related construction activities shall take place outside the hours of 08:00 to 17:30 Mondays to Fridays or between 09:00 to 14:00 hours on Saturdays. No such operations shall take place at any time on Sundays or Bank/Public Holidays.

Reason: To secure the satisfactory development of the site and comply with Policy D1 Adopted Melton Local Plan (MLP) 2011-2036 and comply with the aims and objectives of the NPPF.

9. Prior to the commencement of the development hereby permitted, details of or surface water drainage scheme for the site, based on sustainable drainage principles and the disposal of foul water drainage shall be submitted to the Local Planning Authority in writing for approval. The development shall then be implemented in full in accordance with the approved details.

Reason: To prevent the increased risk of flooding, secure the satisfactory development of the site and comply with Policy D1 Adopted Melton Local Plan (MLP) 2011-2036 and comply with the aims and objectives of the NPPF.

10. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order 2015 or any Order amending, revoking and/or re-enacting that Order, with or without modification. No extension or alterations relating to Class A, B, C & E of Part 1 of Schedule 2 or Part 2 Class A of Schedule 2 shall be erected without the prior written consent of the Local Planning Authority.

Reason: To secure the satisfactory development of the site, protect residential amenity and comply with Policy D1 Adopted Melton Local Plan (MLP) 2011-2036 and comply with the aims and objectives of the NPPF.

11. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on BWB drawing number HBY-BWB-GEN-XX-DR-TR-101_S2_P5 have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2019).

12. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided at each private drive access adjacent to the highway with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2019).

13. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Pegasus drawing number P18-0766_003 Rev F. Thereafter the onsite parking

provision shall be so maintained in perpetuity.

Reason To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

14. Notwithstanding the submitted plans, any garage doors shall be set back from the highway boundary a minimum distance of 5.5 metres for sliding or roller/shutter doors/ 6.1 metres for up-and-over doors / 6.5 metres for doors opening outwards and thereafter shall be so maintained.

Reason: To enable a vehicle to stand clear of the highway whilst the garage / car port doors are opened/closed, to protect the free and safe passage of traffic, including pedestrians, in the public highway, to ensure that adequate off street parking provision is available to reduce the possibility of on street parking problems locally and in accordance with the National Planning Policy Framework (2019).

15. No part of the development shall be occupied until such time as the offsite works, being the provision of a 2m wide footway between the site access and the access to the sewage works on the southern side of Colston Lane, including a tactile crossing point as indicatively shown on BWB drawing number HBY-BWB-GEN-XX-DR-TR-101_S2_P5 have been implemented in full.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2019).

16. The development hereby permitted shall not be occupied until such time as the access drive and any turning space has been surfaced with hard bound material (not loose aggregate) for a distance of at least 15 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

17. Prior to the commencement of the development hereby permitted, a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved in writing by the Local Planning Authority. The submitted details in relation to the "Contamination Proposals" should include to the reference to the following;

- a) Detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination ("the Contamination Proposals");
- b) For each part of the development, the "Contamination Proposals" relevant to that individual element shall be carried out either before or

during such development as appropriate in line with current best practice;

- c) If during development works any contamination should be encountered which was not previously identified and derived from a different source and/or different to those included in “Contamination Proposals” then the revised “the Contamination Proposals” shall be submitted to and approved in writing by the Local Planning Authority;
- d) If during the development work site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in line with the agreed “Contamination Proposals” ;
- e) Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall be submitted in writing to the Local Planning Authority.

Reason: To ensure the site is appropriately decontaminated, to secure the satisfactory development of the site and comply with Policy D1 Adopted Melton Local Plan (MLP) 2011-2036 and comply with the aims and objectives of the NPPF.

Appendix C : Applicable Development Plan Policies

Local Plan

- Policy SS1 Presumption in Favour of Sustainable Development.
- Policy SS2 Development Strategy
- Policy C1 (A) – Housing Allocations
- Policy C2 Housing Mix - seeks to manage the delivery of a mix of house types, tenures and sizes to balance the current housing offer;
- Policy C4 Affordable Housing Provision - seeks to ensure that the provision of affordable housing is made against an application of more than 10 dwellings;
- Policy EN2 – Biodiversity & Geodiversity seeks to achieve net gains for nature and seeks habitat creation as part of all new development proposals;
- Policy EN8 – Climate Change states all new development proposals will be required to demonstrate how the need to mitigate and adapt to climate change has been considered:
- Policy EN9:- Energy Efficiency/ Low Carbon developments required to demonstrate how carbon emissions have been reduced;
- Policy EN11 - Minimizing Flood Risk seeks to ensure development proposals do not increase flood risk and will seek to reduce flood risk to others:
- Policy EN12 – Sustainable Drainage Systems seeks to ensure that properties are not at risk from surface water flooding allowing for climate change effects.
- Policy IN2: Transport, Accessibility and Parking
- Appendix 1 Policy HAR4 (see section 4 above)

Neighbourhood Plan Policies:

- NPHAR4 and NPHAR5 – site allocation
- NP POLICY H5: housing mix
- NP POLICY H6: affordable housing provision
- NP POLICY H7: housing design
- HOUSING POLICY H8: street lighting and light pollution
- POLICY T3: pavements, footpaths, cycle and bridleways
- POLICY T4: parking

Other

- Affordable Housing and Housing Mix SPD (July 2019)