



Melton  
Borough  
Council

# Planning Committee

## 31 October 2019

Report of: Assistant Director of Strategic  
Planning and Reg. Services

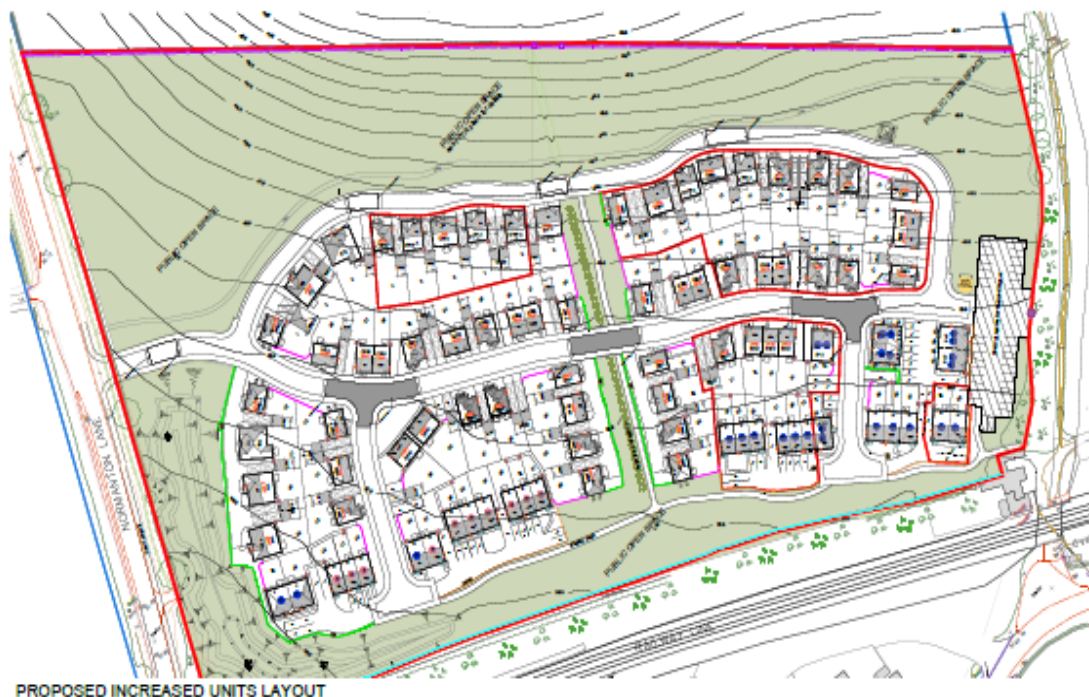
19/00588/REM Normanton Lane, Bottesford, OS Fields 8456 7946 And 9744

Reserved Matters for 36 dwellings (amendment of part of the site containing 27 dwellings under existing permission)

### 1. Summary:

#### The Site

The site currently forms a building construction area in relation to the dwelling houses previously approved. The site is located off Normanton Lane. The site is to the north of Bottesford Village and the surrounding area is rural in character. Bottesford Railway Station is located to the south east of the development site.



#### Background

Outline planning permission was granted with all matters reserved in 2017. This was subsequently followed by a reserved matters application which granted planning permission for **88 units** and associated works. This application is primarily seeking

to increase the number of units within the same area with **9 additional** units resulting in a total of **97 units** being provided.

The applicants seek to achieve the changes within the redline site by amending four specific areas of the approved layout **that presently contain 27 units** under ref: 18/00874/REM **with 36 units** by reducing the average size of the proposed dwellings.

### **The Proposal**

This application primarily seeks to increase the number of units from 88 to 97. These changes are being achieved by removing the 5 bedroom units previously approved and by providing smaller sized properties. This is to reflect a change in market requirements where there is generally increased demand for smaller sized properties and reduced demand for larger sized properties.

Members should note that the additional units would result in the provision of 6 further market units and 3 additional affordable units at this site. In terms of market mix, the proposals involve the removal of all of the previously approved 5 bed properties and an increase in the number of 4 bed properties (through the inclusion of an additional smaller 4 bed house type plus a slight reduction in the number of the other previously approved 4/5 bed house types) and an increase the number of 2 and 3 bed units. The total number of market units is proposed to increase from 55 to 61.

Applicants are also seeking to approve the details relating to the Landscape Management Plan and condition 16 - Noise Protection Scheme attached to the reserved matters application.

## **2: Recommendations:**

**It is recommended the application is APPROVED, subject to:**

- the increased provision of Travel Packs supplied by Leicestershire County Council at a cost of £52.85 per pack in line with the original S106.
- the increased provision of 6 monthly bus passes supplied by Leicestershire County Council at a cost of £360 per pack in line with the original S106.

(i) Conditions as set out in **Appendix B**

## **3: Reasons for Recommendation:**

1. Both outline and reserved matters planning permission for the development have previously been granted. In the opinion of the Local Planning Authority the proposal as revised would provide homes that would contribute to overall needs.

2. The proposal as revised would result in a form of development that would be acceptable in form and would not compromise residential amenity or be prejudicial to highway safety to a significant extent. For these reasons, the proposal is considered to comply with Policy D1 of the Melton Local Plan which requires all new development to be sympathetic to the character of the area in which the site is located.

#### 4: Key factors:

##### Reason for Committee Determination

This application is being considered by Committee in view of the recent planning history relating to the site and to ensure the issues raised are given full consideration.

##### 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 within a Service Centre and is an allocated for residential purposes (Ref BOT4 – Land at Bottom of Beacon Hill, Normanton Lane, Bottesford). 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 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 EN3 – Green Infrastructure Network** seeks to deliver, protect and enhance green infrastructure;
- **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.

### **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 BOT4).

**17/00641/OUT** - Outline application granted with all matters other than access to be reserved for future approval, for residential development with associated access, community uses, landscaping, open space, drainage infrastructure and surface carpark.

**18/00874/REM** Reserved matters application for 88 dwellings and surface car park, with associated access, landscaping, open space and drainage infrastructure and discharge of the following conditions attached to outline consent 17/00641/OUT condition 5 - Landscape Management Plan and condition 16 - Noise Protection Scheme.

## Main Issues

The key issues for this application are considered to be:

- Impact of appearance, layout and scale upon the character of the area
- Variation to affordable housing provision
- Quality of design and layout

## Other Issues

- Impact upon residential amenities
- Transportation matters within the confines of the site
- Ecology

## 5: Report Detail:

### 5.1 Principle of development

Members will be aware that the principle of the development has previously been established within the previous consents. The site was allocated for residential development in the Local Plan as 'BOT 4'. The scheme is not considered to be in conflict with Policies set out within SS2 and C1(A) of the Melton Local Plan.

### 5.2 Impact of appearance, 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 does state 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'***.

In assessing this proposal, with regards to layout, the development seeks to build on the previously approved layout plan. The construction work has started and some

houses are completed. This development has had a significant impact on the area and that these proposals would further alter the appearance of the application site.

Design improvements to the scheme have been sought but these have been declined by the developers. They wish to the Committee to determine the application as submitted. The applicants view is that the submitted housing scheme is of a sufficient quality and no further changes are necessary.

The development consists of predominantly two storied dwellings arranged around a main vehicular access point off Normanton Lane leading to a series of cul de sacs and private driveways. Whilst the plot sizes remain largely regular in terms of scale, design and appearance. The revised layout does lend itself to follow basic design principles and the developers are seeking to provide a quality as evidenced with what has already been constructed. On the whole the layout maintains a back to back relationship which protects the privacy for future residents. Each dwelling would benefit from having its own usable sized private garden. Space has also been designed to allow for enhanced tree planting and general planting which is controlled by condition. With regard to the 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 this can be addressed by condition.

This revised scheme seeks to respect the visual relationships of its immediate locality. The proposed housing would need to be viewed in the context of the existing village of Bottesford. It is concluded that the proposal as revised has been reasonably designed to fit in its surrounding context. The principle of residential development has been previously accepted and the proposal with safeguarding conditions would not detract from the principles previously agreed.

Following a joint site meeting with the Parish Council, amongst other things the applicants have accepted the need to provide enhanced landscaping and boundary treatment including the provision of good quality trees to prevent the scheme looking sparse and urban in form.

In addition to the proposed housing, the layout plan indicates an area for the sustainable attenuation and a car park for the existing railway station, these would remain unaltered. This proposal offers an opportunity to enhance the site and provide opportunities for biodiversity improvements.

### **5.3 Affordable Housing**

This proposal would result in the provision of 9 additional dwellings: 6 market units and 3 affordable units at the site.

The total number of market units is proposed to increase from 55 to 61.

These proposed amendments to the market dwelling mix would result in the following changes:

- 4+ bedroom properties reducing from the approved 29.1% to 21.3%;
- 2 bed properties increasing from the approved 23.6% to 26.2%

- 3 bed properties increasing from the approved 47.3% to 52.5%.

In terms of affordable housing provision three additional affordable rent properties are proposed, increasing the total number of affordable units from 33 to 36.

The proposed amendments involve the provision of two additional affordable rented 2 bed maisonettes. The mix of 2 and 3 bed affordable rented houses has been amended from the previously approved 5 x 2 bed houses and 4 x 3 bed houses to be replaced by 3 x 2 bed houses and 7 x 3 bed houses; providing overall a further additional affordable rented property from that previously approved.

No changes are proposed to the shared ownership proposals or the affordable rented 1 bed maisonettes, 2 bed bungalows and 4 bed houses.

Both the previously approved market and affordable bungalow provision importantly remains unchanged through the revised proposals.

**APPROVED MARKET MIX**

No of bedrooms	No. of Units
1 bed house	0
2 bed bungalow	3
2 bed semi	10
3 bed detached	24
3 bed bungalow	2
4 bed detached	10
5 bed detached	6
<b>Total</b>	<b>55</b>

**APPROVED AFFORDABLE MIX**

No of bedrooms	No. of Affordable Housing for Rent	No. of Shared Ownership Units	Total	Beds
1 bed maisonette	6	0	6	1 Bed
1 bed house	0	0	0	
2 bed maisonette	4	0	4	2 Bed
2 bed semi /terrace	5	6	11	
2 bed bungalow	2	0	2	
3 bed semi /terrace	4	4	8	3 Bed
3 bed bungalow	0	0	0	
4 bed semi /terrace	2	0	2	4 Beds
<b>Total</b>	<b>23</b>	<b>10</b>	<b>33</b>	

**PROPOSED MARKET MIX**

No. of bedrooms	No. of Units
1 bed house	0
2 bed bungalow	3
2 bed semi	13
3 bed detached	30
3 bed bungalow	2
4 bed detached	13
5 bed detached	0
<b>Total</b>	<b>61</b>

**PROPOSED AFFORDABLE MIX**

No. of bedrooms	No. of Affordable Housing for Rent	No. of Shared Ownership Units	Total	Beds
1 bed maisonette	6	0	6	1 Bed
1 bed house	0	0	0	
2 bed maisonette	6	0	6	2 Bed
2 bed semi /terrace	3	6	9	
2 bed bungalow	2	0	2	
3 bed semi or terrace	7	4	11	3 Bed
3 bed bungalow	0	0	0	
4 bed semi or terrace	2	0	2	4 Bed
<b>Total</b>	<b>26</b>	<b>10</b>	<b>36</b>	

The Housing Policy Team supports these changes.

## **Other Issues**

### **5.4 Impact upon residential amenities**

It is considered the proposal would comply with Policy D1 of the Melton Local Plan which requires new development to ensure the amenity of future occupiers and of neighbouring properties should not be compromised. This would be achieved.

### **5.5. Transportation Matters**

Details of access were agreed at outline stage and internal road layout in the previous Reserved Matters. The Highway Authority raise no objections on highway safety matters.

### **5.6 Ecology**

The southern half of the site **now falls within a Swift Alert Area** and a condition requiring swift next boxes and other biodiversity enhancements to be provided is recommended.

### **5.7 Conclusion**

**Taking the proposal as a whole, and particularly that the proposed houses would replace a part of the layout of similar form and design, it is considered that the revised proposals are acceptable for the reasons set out above.**

## **Consultation & Feedback**

Surrounding occupiers, Parish Council and Ward Cllrs notified were notified.

3 letters of objection from local residents have been received. These can be summarised as follows;

- cannot be reasonable to increase the density of the plot by 10% without it resulting in a different application at the expense of the quality of the scheme;
- the planning system is being played;
- why are developers not taking opportunities to help combat global warming;
- new homes should be energy efficient and low carbon heating;
- this is an extension to the previously approved scheme and would not benefit the community;
- there is very little affordable housing/bungalows;



- proposal would not benefit the community;
- there would be increased traffic which would be prejudicial to highway safety;
- I would adversely impact on the wildlife;

#### **Bottesford Parish Council**

- Would make the site more cramped, and put more cars on the scheme, and feel this is not an appropriate move.
- Recognise the need for 2 and 3 bedrooms units, but worried that this new scheme does not feel right. It feels too busy with houses and cars hemmed in and would benefit from having a few larger homes at the top of the bank. The Approved plan is better than that of the Proposed plan.

**A joint site meeting on the 17 Oct was arranged with developers, a resident and the Parish Council to discuss work currently taking place on the site and the following action points were noted and agreed.**

- Sunday Working

The Parish Council expressed disappointment that work had been happening on Sundays. Developers admitted work had happened on Sundays, accepted that this was not meant to have happened and committed to remaining within the normal hours of operation of 8am – 4.30pm Mon-Fri, and 8am -1 pm on Saturdays. There would be no further work on Sundays and Bank Holidays. If developers needed to work outside these times then they would inform the Parish Council and leaflet neighbours in advance.

- Entrance from and Exit to the North

In order to protect the centre of the village, most especially Market Street and Station Road the developers have agreed to ensure all vehicles enter and leave to the North. This message would be passed to all contractors and ensure that they drive at less than 30mph.

- Mud on the Roads

Developers agreed to take action on site to resolve the matter.

- Advertising and Directional Signage

The Parish Council expressed concern that too many advertising signs were being displayed in the wider area. The developers agreed to review the situation.

**Cllr Don Pritchett - No comments**

### **Financial Implications:**

Legal costs for preparing the variation to the S106 Planning Agreement will be borne by the applicant

### **Background Papers:**

17/00641/OUT - Outline application granted with all matters other than access to be reserved for future approval, for residential development with associated access, community uses, landscaping, open space, drainage infrastructure and surface carpark.

18/00874/REM Reserved matters application for 88 dwellings and surface car park, with associated access, landscaping, open space and drainage infrastructure and discharge of the following conditions attached to outline consent 17/00641/OUT condition 5 - Landscape Management Plan and condition 16 - Noise Protection Scheme.

### **Appendices:**

A: Summary of Statutory Consultation responses  
B: Planning Conditions

### **Report Timeline:**

**Assistant Director Approval**

22 October 2019

**Report Author: Reddy Nallamilli - Development Management**

: 01664 502427

## **Appendix A : Summary of Statutory Consultation responses**

### **LCC – Lead Local Flood Authority**

Proposed development would not have any impact on surface water drainage.

### **LCC Ecology**

Welcome the ecological enhancement, satisfied with the landscape management plan. Recommend swift boxes are provided.

### **LCC – Highway Authority**

The impacts of the development on highway safety would not be unacceptable and the impact on the road network would not be severe. Request financial contributions towards travel packs and bus passes. Conditions are recommended to ensure the internal road work meets with their adoption standards

### **Leicestershire Police (Designing Out Crime Officer)**

Opportunities for increasing natural surveillance, cctv camera's, and s106 contributions should be considered.

## **Appendix B : Summary of conditions**

1. The reserved matters hereby granted shall be completed strictly in accordance with the following approved plans and details;
  - Location plan (NLB/LOC/02)
  - Planning layout (NLB/PL01 Rev F)
  - Materials layout (NLB/MAT02)
  - Revised House Type Pack May 2019 (HTP/NLB/02)
  - Detailed POS Soft Landscaping Plans Sheets 1 and 2 (8405-L-01 Rev D and 8405-L-02 Rev D)
  - Detailed On Plot Soft Landscaping Plans Sheets 1 to 3 (8405-L-03 Rev C, 8405-L-04 Rev C and 8405-L-05 Rev C)
  - Hard Landscaping Plans Sheets 1 and 2 (8405-L-06 Rev C and 8405-L-07 Rev C)
  - Noise Assessment Report dated May 2019 (Wardell Armstrong)

<ul style="list-style-type: none"> <li>• Landscape Management Plan dated May 2019 (fpcr)</li> </ul> <p>Reason: For the avoidance of doubt.</p>
<p>2. 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.</p> <p>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.</p>
<p>3. 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;</p> <ul style="list-style-type: none"> <li>a) Fully annotated planting plans showing the locations of individually planted semi – mature trees 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;</li> <li>b) Details of the sting, appearance and design of swift/bird/bat brick/boxes/tubes to be incorporated in to the development;</li> </ul> <p>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.</p>
<p>4. The approved landscaping details agreed in Condition 3 above shall be implemented in full no later than the end of the first planting season available after the development hereby permitted being bought into first occupation.</p> <p>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.</p>
<p>5. Prior to the commencement of the development hereby permitted, details of the disposal of foul water drainage shall be submitted to the Local Planning Authority in writing for approval. The development shall be implemented in accordance with the approved details.</p>

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.

6. 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.