



**Marrons
Planning**

**WRITTEN STATEMENT IN RESPECT OF THE MELTON LOCAL
PLAN EXAMINATION JANUARY 2018**

**MATTER 5: OTHER HOUSING ALLOCATIONS (POLICY C1 (A) AND
APPENDIX 1) AND RESERVES SITES (POLICY C1 (B) AND
APPENDIX 1).**

On Behalf of Barwood Homes



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Appendices

Appendix 1 - Common Issues Paper provided to committee at for the four applications on 17 October 2017

1. Paragraph 5.1

Question:

Overall, has the allocation of the sites in Policy C1(A) been based on a clear, robust process of site assessment and informed by sustainability appraisal? In particular:

i) has an appropriate selection of potential sites been assessed?

Response:

- 1.1 We wholly agree that the Council have identified an appropriate selection of sites based on sites submitted through the emerging Local Plan process.

Question:

ii) has an appropriate methodology been used and has it been applied consistently?

Response:

- 1.2 It is submitted that there are a number of significant discrepancies in the site assessment process and associated methodology that need to be addressed in order to ensure that the plan is found to be justified.
- 1.3 The evidence base (specifically MBC/HA1b – Part 2 of 3 – Update to Site Assessments, MBC, May 2017) provides an update to the site assessments for the Service Centres, including information on availability of land, suitability of the site, viability and deliverability timescales. By way of example and due to our clients land interests, in respect of WAL2 (Preferred Allocation) and WAL3 (Reserve Site) Marrons Planning has prepared a summary table (below) of the Council's Suitability Assessment Schedule found on pages 439-457. The summary table demonstrates that despite being the preferred allocation, WAL2 is outperformed by WAL3 (Reserve Site) in three areas of consideration, namely Heritage Assets; Biodiversity and Visual Impact. WAL3 (Reserve Site) is outperformed by WAL2 (Preferred Allocation) in just one area of consideration – Noise and Other Pollutants.

Suitability		
Consideration	Potential Impact ++ (strong positive); + (positive); 0 (neutral); - (negative); -- (strong negative)	
	WAL2 (Preferred Allocation)	WAL3 (Reserve Site)
Meeting identified need;	++	++
Relationship/connectivity with host settlement;	++	++
Access to services and facilities (by foot (by foot ideally 800m)/ bicycle (2km) or public transport;	++	++
Proximity to employment;	++	++
Availability of public transport;	+	+
Brownfield land;	--	--

Loss of employment or other beneficial use;	0	0
Access/including public footpath access;	+	+
Major infrastructure requirements (transport schemes);	++	++
Infrastructure capacity (schools/GP/etc);	++	++
Heritage Assets;	+	++
Flooding/drainage	++	++
Biodiversity – SSSI/SAC/LWS/Protected habitats and species;	+	++
TPO/Ancient woodland;	++	++
Historic parks;	++	++
Technical constraints (contamination/land stability);	++	++
Landscape designation (influence report designation);	0	0
Visual impact;	+	++
Agricultural land classification;	++	++
Noise or other pollutants	++	-
Total	27	27

1.4 In addition, in respect of Noise and Other Pollutants, it is not clear why the Council have assessed WAL3 (Reserve Site) as having a Negative (-) impact on the basis of what it describes as *'potential polluting sources (farm buildings – noise and odour)'* yet have given WAL2 (Preferred Allocation) a Strongly Positive (++) impact on the basis of *'none identified'*. Both sites immediately adjoin one another and both sites share a boundary with the farm and industrial buildings located on Fairfield Industrial Estate. Furthermore, planning applications have previously been submitted for both WAL2 and WAL3 which are both accompanied by technical assessments revealing no concern relating to pollution (noise, odour or otherwise). As such, there is NO justification for this discrepancy and thus both WAL2 and WAL3 should be given equal ratings in respect of Noise and Other Pollutants. This being the case, WAL3 (Reserve Site) would actually perform better in terms of site Suitability than the preferred allocation of WAL2.

1.5 In respect of the Sustainability Appraisals Summary for each site, WAL3 (Reserve site) is noted as being negatively assessed in respect of an inefficient use of land. However, it is not considered that a negative rating is justified in this instance. For example, the proposals as submitted in the planning application for the site include 3.87 Hectares of Green Infrastructure (including play area and ponds) and will be landscape led throughout. Public open space will be provided in the north western corner of the site and will include a designated Multi Use Games Area (MUGA) and a designated area for children's play space. The most easterly portion of the site is also designated for additional allotment land with the intention of linking up with the existing allotments north east of the site. A Village Green is also proposed at the centre of the site and a community orchard is proposed to the east of the site. A high proportion of landscaping will also be provided throughout the development and especially along the boundaries of the site. Furthermore, the housing on the site will be at a density of 27 dph; this is considered to be entirely appropriate in a semi-rural village such as Waltham on the Wolds.

- 1.6 Furthermore, the Sustainability Appraisal Summary for WAL3 (Reserve Site) also makes reference to a negative assessment in respect of agricultural land classification. Despite the fact that both WAL2 (Preferred Allocation) and WAL3 (Reserve Site) are identified as having '3b – lower quality' classification (and thus both having a ++ rating under the site Suitability assessment), the same negative assessment is not noted in respect of WAL2 (Preferred Allocation). Again, this points towards yet another discrepancy that results in a clear lack of justification in respect of the Council identifying a suitable allocation for Waltham on the Wolds.
- 1.7 In respect of WAL2 (Preferred Allocation) the Sustainability Appraisal Summary notes a 'significant negative effect' in terms of landscape impact. The summary notes: *'The site is located towards the southern western edge of Waltham on the Wolds and has been identified as being mostly within the LCZ5: Waltham on the Wolds South (a small portion of the site to the north is located within LCZ4: Waltham on the Wolds Southeast) in the Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study¹⁶⁹ commissioned by the Council. The area in which most of the site falls within has medium to high sensitivity to residential development due to the largely intact landscape character, the presence of rare historic landscape elements and the relative intricacy of landscape scale and pattern. As such a significant negative effect is recorded for this SA objective.'* Notwithstanding these comments, WAL2 (Preferred Allocation) receives a Positive (+) rating in the site Suitability assessment, just one point less than the Strongly Positive (++) rating given to WAL3 (Reserve Site). Again, it is considered that this approach lacks clarity and has therefore not been properly justified.
- 1.8 Overall, it is considered that there are a number of serious discrepancies in relation to the site assessment process that result in a total lack of justification in terms of the Council's identification of a suitable allocation for the village. It is considered that WAL3 (Reserve Site) is scores higher in terms of suitability and deliverability than the preferred allocation of WAL2.

Question:

iii) are the reasons for selecting the preferred sites and rejecting the others clear and sufficient? Would any inaccuracies in the assessments significantly undermine the overall conclusions?

Response:

- 1.9 As noted above, there are a number of discrepancies relating to the site assessments which invalidates the reasoning behind selecting the preferred sites and rejecting others. For example, in the instance of Waltham on the Wolds, as identified above, if the assessment was undertaken again a different conclusion may emerge and WAL3 could emerge as the preferred option whilst WAL2 is the reserve site.
- 1.10 In addition, we have concerns that document reference MBC/SS3a - Settlement Roles and Responsibilities Report May 2016 (SRRR) alongside appendices 1 and 2 (document references MBC/SS3b and MBCSS3c) which supports the sustainability rating of settlements is not accurate. For example, with specific reference to Waltham on the Wolds, it is noted that whilst there are a number of businesses, local shops and services

noted in the SRRR, there are a number of businesses absent from the review such as the variety of Bed and Breakfasts, the Chocolate Flip Flop Shop, Concept Controls IT Assistance, a car dealership/garage, the Waltham Centre for Pet Nutrition, and various builders/joiners/plumbers etc.

1.11 Therefore, it is questionable whether the evidence base is accurate. Importantly, if the sustainability rating for Waltham on the Wolds was higher, it is submitted that it would be obvious that the settlement is certainly sustainable enough and has the appropriate land capacity to support at least three preferred allocations, thus mirroring, for instance, that of Bottesford which is being allocated 4 preferred sites equating to a total capacity of 324 dwellings. At present Waltham on the Wolds has 2 preferred allocations equating to a total of 114 dwellings, whereas in reality, Waltham on the Wolds is sustainable enough to support a higher number of dwellings and the inclusion of the reserved site WAL3 as a preferred site allocation could achieve this.

1.12 In addition, and as noted in our response to Matter 2, the suitability of infrastructure in Waltham on the Wolds has been assessed as part of the planning application process (and subsequent appeal) by Barwood Homes at site WAL3. As part of the planning application process for the application (alongside 3 other applications in Waltham on the Wolds) the development management team, alongside applicants for the 4 applications, assessed in detail the capacity of local infrastructure to accommodate the level of development proposed. A Common Issues Paper was also provided to committee at the meeting to decide the four applications on 17 October 2017 (referenced at **Appendix 1**) which summarised the investigations into infrastructure and concluded that, subject to contributions that will enhance and provide vital improvements to village services, the 4 schemes could be accommodated in the village. It is clear that with appropriate financial contributions and reasonable timescales, adequate provision could have been made for all four of the proposed planning applications (totalling 328 additional dwellings) in respect of water, drainage, power and education. In respect of the latter, a specific scheme was drawn up for the improvement and expansion of Waltham Primary School that could adequately accommodate the school places from all four of the proposed planning applications, but could equally be scaled back to accommodate just one, two or three of the developments, depending on decisions made by the Planning Committee. Other appropriate contributions were also proposed in order to mitigate the impacts of development in respect of civic amenities, libraries and healthcare.

1.13 The above clearly demonstrates that Waltham on the Wolds could clearly accommodate more development than proposed and could support at least 3 preferred allocations rather than 2 preferred allocations and a reserved allocation.

iv) has a reasonable balance been struck between the residual requirement figure for each of the settlements in Table 4 and the allocation of sites to meet the residual requirement as closely as possible?

1.14 As referenced in our response to Matter 2, Table 4 identifies (taking into account completions/sites with planning permission and sites under construction) a residual requirement for 214 dwellings in Asfordby but the capacity from proposed site allocations only equates to 160 dwellings. Again, in the case of Croxton Kerrial there is residual requirement for 68 dwellings with land capacity for only 55 dwellings. Whilst settlements

such Waltham on the Wolds have a capacity to accommodate 114 dwellings, yet the residual requirement for this centre is only 76 dwellings and could be higher. This demonstrates discrepancies in the Council's approach and this approach will lead to issues as villages could become akin to housing estates with unsustainable patterns of travel to other villages for services and facilities rather than being self sufficient villages in their own right. Allocating more development to villages with less land capacity could lead to a shortfall in development, especially if developers seek to provide low density schemes on those allocated sites to assimilate with the character of surroundings.

- 1.15 It is therefore submitted that settlements should only be allocated development commensurate to the sustainability of the settlement and where it can be demonstrated that they have sufficient capacity, in both land availability and infrastructure terms, to do so.

2. Paragraph 5.2

Question:

Overall, will the allocations provide sufficient flexibility to help deliver the spatial strategy?

Response:

- 2.1 Also as noted in our response to Matter 2, we do not believe that the settlement hierarchy and apportionment of growth to each settlement is justified. Therefore, in turn, the allocations will ultimately need to be revisited to accord with any new settlement hierarchy and/or apportionment of growth proposed.

3. Paragraph 5.3 – 5.6

Question:

Are the specific policy requirements for the site allocations in Appendix 1 justified and effective? Together with the Plan policies as a whole, is there reasonable assurance that the development of the allocations will be sustainable and in accordance with national planning policy? Is the identification of 'reserve sites' in Policy C1 (B) appropriate in principle? Has the basis for their identification been robust? Is there clear justification for the identification of the individual sites as reserve sites? Are the policy criteria of Policy C1(B) justified and effective? How will criteria iii) and iv) be assessed?

Response:

- 3.1 As already noted in this response and also our response for Matter 2, we do not believe that the allocation of WAL3 as a reserve site, as opposed to a preferred site, is justified. Whilst we do not have any concerns with the approach to development and the allocation of reserve sites which is compliant with national planning policy and provides the required flexibility in case other preferred sites do not progress as expected, we do have strong reservations with the allocation of WAL3 as one of these reserve sites. It is strongly submitted, based on the information provided above, that WAL3 should in fact be a preferred allocation going forward.

3.2 As noted above, a planning application was previously submitted for site WAL3, which although was recommended for approval by planning officers, it was subsequently refused at planning committee. Since then a planning appeal has been submitted for the site which is pending validation due to availability of Inspectors. In summary, given the surrounding land uses, this site will not expand the urban edge of the village into the more visually sensitive surrounding countryside. In light of the LPA's desire to see development focused in Waltham on the Wolds to support its service centre role, the proposal (in conjunction with recently approved adjacent development) would form a logical extension to the settlement boundary without great adverse impact on the wider countryside.

Put simply, the site is exceptionally well related to the existing pattern of built form in Waltham, as well as being easily accessible on foot to the centre of the village and the services/amenities that the village has to offer.

3.3 Indeed the proposals for the site bring forward the following key benefits to the village:

- A high quality well designed place providing up to 124 new dwellings of mixed size and tenure addressing in part the need to maintain a 5 year supply of housing land and also meeting local demand;
- Provision of multifunctional areas of Public Open Space representing 43% of the sites overall area;
- Retained and enhanced public footpaths together with new footpath and cycle routes within the development;
- Provision of up to 37% of the total number of dwellings as affordable housing of mixed sizes and tenures to meet local needs;
- Retention of the existing hedgerows, which will be strengthened through native landscaped buffers. These will provide both a biodiversity and recreational benefit through new habitat creation and accessible green space for walking and cycling;
- Biodiversity enhancement through the creation of new wetland habitat within SuDS provision, and new grassland creation to protect and enhance existing field boundaries;
- New Homes Bonus payments of around £1m over six years to Melton Borough Council which will provide significant benefits to the local community;
- The creation of circa 186 full time equivalent jobs associated with the construction of the development and many more in the supply chain;
- An estimated £25 million in economic activity boost to local economic activity including support for local facilities in an identified service centre to ensure the longevity of those services;
- Financial benefits to transport, education, healthcare and civic amenities equating to circa £500,000 which would be secured through section 106 contribution.

3.4 It has also been demonstrated that there are no overriding technical concerns that would significantly outweigh the benefits of developing this wholly sustainable site.

3.5 The site has full developer support and is being promoted by Barwood Homes who has a strong track record for delivering residential development in the East Midlands region; the site should thus be considered deliverable in the context of footnote 11 to paragraph 49 of the NPPF.

- 3.6 On the contrary, there are a number of preferred sites in some of the Service Centres and Rural Hubs without the same backing from a developer. Therefore, it is unclear whether developers will come forward for these sites which, in turn, questions their deliverability and certainly questions whether they should be reserve sites rather than preferred sites. For example, Service Centre site references HOS2, CROX2 & 3, SCAL1, SOM1 & 2, and WYM2 & 3 do not have developers associated with them and have either never had planning applications submitted for development or in the case of SOM1 has had planning permission refused. There are also questions surrounding the delivery of MUA sites MEL4, 5, 6, 7, 9, and 10 due to notes made at Appendix A of the latest information provided by the Council in their Response to Initial Question 4, Housing Land Supply.
- 3.7 Indeed, Appendix 4 of the Council's Response to Initial Question 4, Housing Land Supply also identified that in respect of CROX 2 & 3, the site promoters have confirmed potential delays with delivery and in respect of SCAL1, the landowner has confirmed delivery will not happen until they have retired and the council have moved this site into a later delivery stage. Thus in our opinion, it would be more appropriate and suitable to allocate these as reserve sites considering it may take time for them to come forward in any event. In respect of SOM1, Appendix 4 confirms that planning permission has been refused, but also that despite attempts by the Council to ascertain delivery of the site, the promoters have not been forthcoming in providing this information. This therefore questions whether this site is deliverable at all and possibly that it should be removed from the plan as an allocation altogether.
- 3.8 In addition, some of the preferred sites also have also been referenced in Appendix 4 as having issues to overcome before development can be considered appropriate. This is the case, for example, with site BOT3 which is a "*complex site with various issues to resolve*" before any planning application can be submitted. However, as demonstrated above and indeed in the Council's own assessment of the site, WAL3 does not have any technical considerations to be overcome.
- 3.9 Put simply, it is considered that there are a number of preferred sites that could certainly become reserved sites so that the clearly deliverable and sustainable sites (such as WAL3) can come forward quickly and can contribute to the Council's five year housing land supply straight away. As stated in a Written Statement prepared on behalf of Barwood Homes in respect of Matter 6, it is argued that the Council should seek to address its own historic shortfall in the first 5 years of the Plan (The Sedgefield Approach) rather than spreading it across the Plan period (The Liverpool Approach). Application of the Sedgefield Approach would result in an annual requirement of 483 dwellings. In order to achieve this, it is argued that the Council will need to allocate additional sites in the Service Centres, since increasing the numbers in the Melton Sustainable Neighbourhoods will only increase dwelling delivery towards the back end of the plan period.

APPENDIX 1

COMMITTEE REPORTS TO PLANNING COMMITTEE 17
OCTOBER 2017



Rural Capital of Food

Agenda

Meeting name	Planning Committee
Date	Tuesday, 17 October 2017
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH
Other information	This meeting is open to the public

Members of the Planning Committee are invited to attend the above meeting to consider the following items of business.

Edd de Coverly
Chief Executive

Membership

Councillors	J. Illingworth (Chair) P. Baguley P. Chandler P. Faulkner T. Greenow J. Wyatt	P. Posnett (Vice-Chair) G. Botterill P. Cumbers M. Glancy E. Holmes
Substitutes	L. Higgins B. Rhodes	A. Pearson

Quorum: 4 Councillors

Meeting enquiries	Development Control
Email	externaldevelopmentcontrol@melton.gov.uk
Agenda despatched	Monday, 9 October 2017

No.	Item	Page No.
1.	APOLOGIES FOR ABSENCE	
2.	DECLARATIONS OF INTEREST Members to declare any interest as appropriate in respect of items to be considered at this meeting.	1 - 2
3.	WALTHAM ON THE WOLDS 'COMMON ISSUES' Report addressing the issues raised common to each of the applications	3 - 10
4.	SCHEDULE OF APPLICATIONS	
4 .1	16/00793/OUT Bescaby Lane, Waltham on the Wolds	11 - 32
4 .2	16/00847/OUT Fair Farm, Melton Rd, Waltham on the Wolds	33 - 60
4 .3	16/00971/OUT Mill Lane, Waltham on the Wolds	61 - 96
4 .4	17/00080/OUT Mere Rd, Waltham on the Wolds	97 - 118
5.	URGENT BUSINESS To consider any other items that the Chair considers urgent	

Advice on Members' Interests

COUNCIL MEETINGS - COMMITTEE MINUTES : DECLARATION OF INTERESTS

Interests need not be declared at Full Council in relation to Committee Minutes which do not become the subject of debate at Full Council (i.e. Minutes referred to solely on a page by page basis when working through the Minutes of each Committee.)

An interest must be declared at Full Council as soon as it becomes apparent that a relevant Committee Minute is to be debated – this applies even if an interest has been declared at Committee and is recorded in the Minutes of that Committee.

PERSONAL AND NON-PECUNIARY INTERESTS

If the issue being discussed affects you, your family or a close associate more than other people in the area, you have a personal and non-pecuniary interest. You also have a personal interest if the issue relates to an interest you must register under paragraph 9 of the Members' Code of Conduct.

You must state that you have a personal and non-pecuniary interest and the nature of your interest. You may stay, take part and vote in the meeting.

PERSONAL AND PECUNIARY INTERESTS

If a member of the public, who knows all the relevant facts, would view your personal interest in the issue being discussed to be so great that it is likely to prejudice your judgement of the public interest and it affects your or the other person or bodies' financial position or relates to any approval, consent, licence, permission or registration then **you must state that you have a pecuniary interest, the nature of the interest and you must leave the room***. You must not seek improperly to influence a decision on that matter unless you have previously obtained a dispensation from the Authority's Governance Committee.

DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

If you are present at any meeting of the Council and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting, if the interest is not already registered, you must disclose the interest to the meeting. You must not participate in the discussion or the vote and you must leave the room.

You may not attend a meeting or stay in the room as either an Observer Councillor or *Ward Councillor or as a member of the public if you have a pecuniary or disclosable pecuniary interest*.

BIAS

If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest (bias) then you should not take part in the decision-making process; you should leave the room. **You should state that your position in this matter prohibits you from taking part.** You may request permission of the Chair to address the meeting prior to leaving the room. The Chair will need to assess whether you have a useful contribution to make or whether complying with this request would prejudice the proceedings. A personal, pecuniary or disclosable pecuniary interest will take precedence over bias.

In each case above, you should make your declaration at the beginning of the meeting or as soon as you are aware of the issue being discussed.*

*There are some exceptions – please refer to paragraphs 13(2) and 13(3) of the Code of Conduct

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SPECIAL MEETING OF PLANNING COMMITTEE

17th OCTOBER 2017

REPORT OF THE HEAD OF REGULATORY SERVICES

WALTHAM ON THE WOLDS 'COMMON ISSUES'

1. Introduction

- 1.1 This purpose of this report is provide and update to the Committee of the issues that affect the consideration of all of the applications forming the content of the agenda of 17th October 2017

2. Background

- 2.1 These application were considered by the Committee on 29th June 2017, the resolution of which was to defer consideration of all of the applications in order to obtain additional information in respect of water supply and sewerage provision, in the context of exiting problems and the additional burdens that new development would bring. It was also requested that information regarding the impact on the provision of health services, electricity supply and the financial implications of any upgrades are provided.
- 2.2 In addition this report address an update on education capacity and the application of the Local and Neighbourhood Plans, all of which have developed since the consideration of the applications in June.

3. Education

3.1 Primary Sector

- 3.1.1 The Local Education Authority has advised that the 'feasibility study' devised in June, that allows for its expansion on a phased basis depending on demand created by the applications remains applicable (update provided 5/10/17). Members will recall that these enable the school to expand to a level capable of accommodating all of the proposed development, provided that the costs are borne by developers (through s. 106 obligations). The exact extent of work and payment required will depend on how many houses are approved. The details are reproduced for ease of reference as follows:

- Appendix 1 is a spreadsheet of the costs incurred and 'trigger points' for each phase. Appendix 2 is a diagram of the feasibility study showing the scope of the extensions
- 3.1.2 The Local Education Authority has provided updated information in relation to secondary provision. This up to date as of 5/10/2017 and includes all decisions made up to that point that affect the relevant catchment area (Belvoir High School, Bottesford), up to and including application ref. 17/00641/OUT (Normanton Lane, Bottesford, for 88 houses) approved subject to s106 on 28th September 2017.
- 3.1.3 It is advised that, taken into account all these commitments, there remains spare capacity equivalent to 58 dwellings, but any houses approved beyond that figure should make a contribution for expansion of capacity of £2,984 per house is based on the current cost multiplier. There is no ceiling upon the extent to which capacity can be increased.
- 3.1.4 It is proposed to proceed on the basis of a contribution of £2984 per house but 'discounted' by a proportionate share of the surplus capacity of 58 referred to, related to the total number of houses approved. The applicants have been advised of this position and have agreed the approach suggested should it relate to their proposal.
- 3.1.5 For example: if 400 houses were approved in total, and 'site A' was for 100, their contribution would be £298,400 (£2984 per house x 100 houses) but discounted by £43268 (14.5 x £2984; 14.5 being the proportionate share (i.e 100/400) of the 58 available surplus). However, this cannot be crystallised into specific sums at present until it is established which of the applications, if any, are approved and how many houses this will comprise.

4. Water Supply and sewerage provision; recent reported problems

4.1 In addition to the information supplied in June, Severn Trent (STW) advise that:

(a) Water Supply

- The 15" cast iron main that supplies water from Burrough Hill Service Reservoir to Waltham Service Reservoir is being investigated due to the amount of burst mains / repairs that has happened along its length in the last 5 years. This information will be collated along with supply interruption data for that area and will form a capital investment request to have that section of main replaced. This capital investment submission goes into a queue with others from around the company which are then prioritised for capital investment.
- It is planned on slowing the operation / movement of the valve at the inlet to Waltham Service Reservoir to lessen the impact of the movement of the water. In doing this, it is hoped that the 15" main will operate in a calmer way and therefore less likely to burst.
- These works (above) are proposed to provide a security of supply to the network in its current state. However, if the additional housing requires new mains to be installed to maintain the current level of service, it will be carried out separately. The impact of new connections would be assessed and Severn Trent would undertake the necessary improvements.

- Currently there is known to be sufficient capacity for over 100 houses, however detailed investigation is needed to identify a precise figure. There is more hydraulic capacity but it requires analysis to specify the overall capability. It is quite unlikely that 400 properties could be served without further investigation and potential upgrades.
- There is a notional plan to upgrade the works in AMP (Asset Management Period) 7 (2020 – 2025) for water framework directive related improvements. This would provide an opportunity to increase capacity to accommodate for the 400 further houses. This may not fit in with the potential developers timescales for the growth in Waltham, so there may well be some restrictions on developers at some point in the next few years.

(b) Sewerage

- There are some odour issues which relate to the rising main coming into the south of the village. The rising main serves several villages. STW's operations team are aware of this and are monitoring, and looking into any improvements through chemical dosing at the public pumping station at Sproxton.
- As far as flooding issues are concerned, there have been some that were blockage related in the past and were resolved.
- Further development in Waltham may well require developers to fund sewer modelling to ensure that there are no impacts on the public sewerage system. Where any issues do arise Severn Trent are obliged to give the developer a connection point and to provide any capacity required. Provision of increased capacity through a Severn Trent scheme would take at least 18 – 24 months, possibly longer subject to funding in the current AMP period (2015 – 2020).

5. Waltham Neighbourhood Plan and Melton Local Plan

- 5.1 Both Plans have now progressed since the consideration of the applications in June. Waltham NP has now completed 'Regulation 16' consultation and the Group is considering whether to proceed to Examination. The Local Plan has been the subject of Addendum of Focussed Changes, consultation on these Changes and was submitted for Examination to the Planning Inspectorate on 4th October 2017.
- 5.2 The impact of the content of both Plans varies in respect of each application and is addressed in the individual reports. However the question of the weight that they carry is common to each application and is addressed here.
- 5.3 The Neighbourhood Plan and the Local Plan are emerging plans which should be taken into account. However, neither of these plans is yet part of the Development Plan for the purposes of s38(6) or s70 . At present the Development Plan only comprises the saved policies from the 1999 Local Plan.
- 5.4 The plans are both material considerations under this legislation and must therefore be taken into account. It is a matter for the decision maker to give as much weight as is considered appropriate in the circumstances of each case. The following assessment is provided to assist Members to conclude on the weight the NP should carry in its current state of advancement and the surrounding circumstances. The

Committee then needs to proceed to combine and balance this conclusion with all the other considerations, which similarly will need to be decided on the on the question of 'weight'.

5.5 Paragraph 216 of the NPPF states that weight may be given to relevant policies in emerging plans, according to :

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)
- The extent to which there are unresolved objections to the relevant policies (the less significant the unresolved objections ,the greater weight that may be given) ;and
- The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework ,the greater the weight that may be given)

5.6 Addressing each criteria in turn:

(i) The stage of preparation of the emerging plan

The Neighbourhood Plan is at Regulation 16 Consultation stage. This is the final stage of consultation, the next stages are:

- For MBC to arrange (independent) Examination
- Examination results received and NP Group respond - it is here that they choose whether to proceed to Referendum, either with or without amendments, depending on the outcome of the Examination.
- MBC (authority is vested in the REEA Committee) similarly decide if it should proceed to Referendum
- Referendum (plus administrative steps to allow it to be 'made')

Section 70 of the Act has recently been amended to require that post Examination Neighbourhood Plans be treated as a material consideration in the determination of planning applications. The NP is not yet at that stage and, accordingly, does not benefit from this provision. Whilst one interpretation of this (new) clause is to infer that until post –examination stage an NP should not be a material consideration, it is considered that that it is one such material consideration at earlier stages, including its current stage

The Local Plan is submitted for Examination and has the following steps to complete:

- Examination for its 'soundness' under the NPPF
- Examination results to be published and any 'modifications' to be the subject of consultation
- Further examination to take place into Modifications
- Final Inspectors Report and recommendations
- Adoption by MBC

(ii) The extent to which there are unresolved objections to the relevant policies

There were 41 responses to the **Neighbourhood Plan** Regulation 16 consultation. These comprised 32 from residents or their representatives; 5 from consultees and 4 from developers/agents, who are representing local landowners.

The opposition to the plan is significant due to its content, rather than the quantity. These refer to unresolved objections to the policies in the plan and inconsistency between the emerging Neighbourhood and Local Plans. These are matters which an Examiner will have to consider and adjudicate upon.

This could result in amendments being required before the NP plan proceeds to a referendum. It should not be assumed that the Plan will proceed in its current form prior to the Examination process taking place. In accordance with the NPPF criteria it is reasonable to give less weight to the emerging NP on the basis of these unresolved objections.

Local Plan: there are several hundred representations to the local plan covering very many aspects, including the quantity of housing provided, its distribution (including quantity allocated to Waltham) and contention in respect of site allocations. It can only be reasonably concluded that very many relevant objections remain unresolved.

(iii) The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework

Consistency with the Framework is a 'basic condition' which Neighbourhood Plans are required to satisfy and as such are an area that is scrutinised by the Examination. It is considered that this will provide invaluable insight into this criteria, but until it is complete, several matters are contested and there remains doubt.

Local Plan: whilst it is the Council's view that the Local Plan is consistent with the NPPF (as this is a requirement allowing its submission) this is contested by many parties. As with the NP above, this will be the subject of consideration by the Examination process.

- 5.7 Paragraph 14 of the NPPF states that if planning permission should be refused only where the adverse impacts significantly and demonstrably outweigh the benefits of residential development in this location. It is a matter for this Committee, as the decision maker, to decide how much weight should be given to emerging policy. This includes the Neighbourhood Plan and Local Plan (n.b. the recent change to Section 70 of the Town and Country Planning Act and the weight to be given to Neighbourhood Plans, only applies to post-examination Neighbourhood Plans. This does not include the Waltham Neighbourhood Plan).
- 5.8 Members are invited to conclude on the question of weight that can be assigned to the emerging Neighbourhood and Local Plans given the circumstances around them. **It is considered reasonable to conclude that at their present stages, with unresolved objections and with challenges submitted about its consistency with the NPPF, the weight attributed to both Plans should be regarded as limited only.**

6. Infrastructure

- 6.1 Water and Sewerage: details are provided above. From the information provided above it is clear that despite improvements intended to address the current water supply and sewer odour issues, these would not be sufficient to accommodate all of the new housing proposed. Detailed modelling would be required and enhancements provided based on the results.

This situation is not unusual. STW must provide a supply of clean drinking water and dispose of waste water for all domestic properties; new dwellings can not be occupied until these connections are provided at a charge to the developer which is regulated by OFWAT (Water Services Regulation Authority) .6.3 With regard to **Education provision**, it is demonstrated that sufficient capacity can be created for any permutation of the applications which could be granted. However, the precise requirements, and as a result their cost and the requirement for funding through s106 depends upon which are approved, if any, and how many houses they comprise, which of course is unknown until the formal determination of the applications concerned. It is therefore considered necessary that any decisions are made 'subject to' the agreement of a proportionate contribution (based on the number of houses approved per scheme) reflective of the approaches described in section 3 above.

- 6.4 **Electricity provision:** Western power have provided a detailed explanation of their provision and described the measure that would be necessary to serve the new sites, showing a proposal for laying cable through the new sites and there would probably be 2 substations along the route. This would allow some overhead lines in the area to be removed.
- 6.5 **Health facilities capacity:** the relevant health agencies have submitted requests for contributions for each. These are reported individually in each report (where applicable).

7. Cumulative total of dwellings proposed : the Local Plan and other policy considerations

- 7.1 As described above, the Local and Neighbourhood Plans are progressing but has not yet reached a stage where it can be relied upon as 'definitive' for the purposes of determining planning applications. Determinations must therefore be made under the Policies of the NPPF.
- 7.2 The NPPF requires that each application is considered on its own merits, and for permission to be granted unless the impacts would "significantly and demonstrably" outweigh the benefits. **Application's strengths and weaknesses in comparison to others are not considered to be a factor that can determine their impacts.**
- 7.3. A report is provided for each of the application (items 4.1 – 4.4. of this agenda) addressing the planning merits of each application. Each application is unique and as such encounters different issues in different ways, which in each case requires a independent conclusion to be reached on the 'harm' and 'benefits' they give rise to and the relative weight of each. The applications are presented in date order of

receipt. The content of the NP and LP as they relate to each application is a material consideration within this exercise.

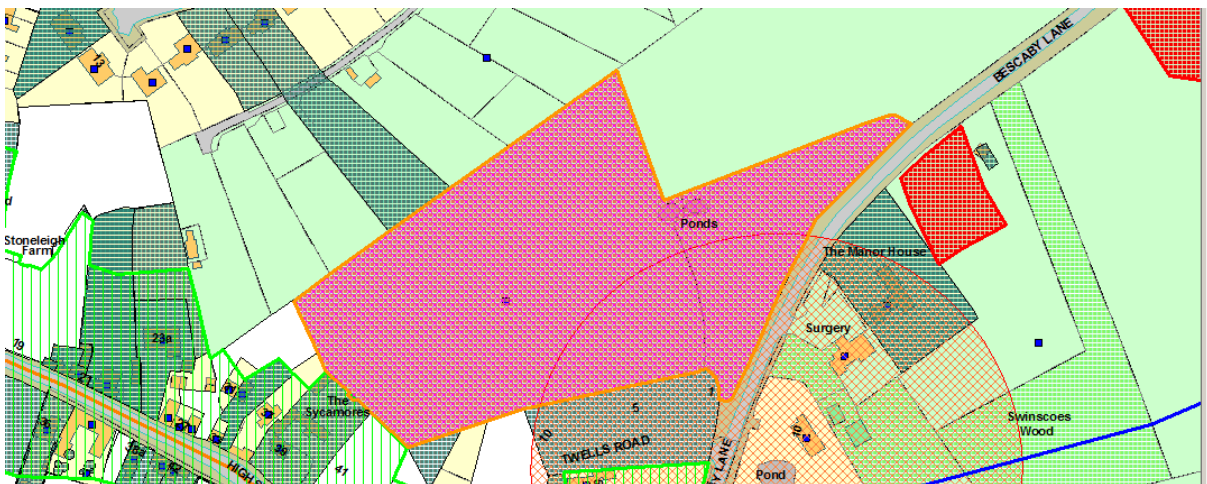
5. Recommendations

- 5.1 It is recommended that the Committee proceeds to determine each application in turn, on its individual merits, under the terms set out by para 14 of the NPPF : “permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits”.**

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COMMITTEE DATE: 17th October 2017

Reference: 16/00793/OUT
Date submitted: 25.10.2016
Applicant: Davidsons Developments Ltd And The Bicker Family
Location: Field OS 1100 Bescaby Lane Waltham On The Wolds
Proposal: Outline Planning Application for up to 45 No. Dwellings



The application is reported back to Committee following deferral on 29th June 2017 to consider the following issues:

1. Investigation Water supply and sewerage infrastructure issues
2. The contribution of section 106 funding required for additional school places
3. Consideration of the impact to the surgery
4. Consideration of the impacts on electricity supply

In response to these points please see the report 'Waltham On The Wolds 'Common Issues'(item 3 of this agenda).

Proposal :-

This application seeks **outline planning permission for up to 45 dwellings**. The land is situated on the eastern edge of Waltham on the Wolds. Access to the site is proposed directly from Bescaby Lane to the north of the properties on Twells Road. The site is considered to be greenfield site with no presumption in favour of development

The application is in outline with access to also be considered,

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

- Compliance or otherwise with the Development Plan and the NPPF
- Impact upon the character of the area
- Impact upon residential amenities
- Sustainable development
- Traffic and access issues

The application is required to be presented to the Committee due to the level of public interest and amount of representation received.

History:- None

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 - does not allow for development outside the town and village envelopes shown on the proposals map **except** for development essential to the operational requirements of agriculture and forestry, and small scale development for employment, recreation and tourism.

Policy OS3: The Council will impose conditions on planning permissions or seek to enter into a legal agreement with an applicant under section 106 of the Town and Country Planning Act 1990 for the provision of infrastructure which is necessary to serve the proposed development.

Policy BE1 - allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

Policy H10: planning permission will not be granted for residential development unless adequate amenity space is provided within the site in accordance with standards contained in Appendix 5 (requires developments of 10 or more dwellings to incorporate public amenity space for passive recreation with 5% of the gross development site area set aside for this purpose).

Policy H11: planning permission will not be granted for residential development of 15 or more dwellings unless it makes provision for playing space in accordance with the Councils standards at Appendix 6 of this Local Plan (on developments of 50 or more dwellings, every dwelling must be within a 5 minutes walk (240m straight line distance) of a LEAP (Local Equipped Area for Play).

Policy C1: states that planning permission will not be granted for development which would result in the loss of the best and most versatile agricultural land, (Grades 1, 2 and 3a), unless the following criteria are met: there is an overriding need for the development; there are no suitable sites for the development within existing developed areas; the proposal is on land of the lowest practicable grade.

Policy C15: states that planning permission will not be granted for development which would have an adverse effect on the habitat of wildlife species protected by law unless no other site is suitable for the development Policy C16.

The National Planning Policy Framework introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out -of -date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation)
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Take account of the different roles and characters of different areas, promoting the vitality of urban areas, recognising the intrinsic character and beauty of the countryside and support thriving rural communities.

On Specific issues it advises:

Promoting sustainable transport

- Safe and suitable access to the site can be achieved for all people
- Development should be located and designed (where practical) to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- Consider the needs of people with disabilities by all modes of transport.

Delivering a Wide choice of High Quality Homes

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- LPA's should identify land for 5 years housing supply plus 5% (20% if there is a history of under delivery). In the absence of a 5 year supply housing policies should be considered to be out of date.
- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and enhancing the natural environment

- Encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value
- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
Natural England: No comments	Noted – being close to an SSSI it was important to check whether Natural England had any comments to make about this application.
Highways Authority - No objection, subject to conditions The applicant has undertaken speed readings close to the site access, level with the doctor's surgery access and recorded 85%ile speeds of 35mph northbound	Noted and conditions can be applied as per the comments made.

and 36mph southbound.

The Applicant has provided site access drawing ref: P 15-506 with visibility splays of 100m to the north of the access and 36m to the south. The CHA is satisfied that visibility in excess of 51m can be achieved to the south of the site however, which would be acceptable for the speed of traffic using the road. The visibility splay to the south of the access passes in front of the give way lines for the Twells Road junction and would therefore not be temporarily restricted by the low volume of vehicles stopping on Twells road which may be giving way to oncoming traffic.

A Stage 1 Safety Audit has also been undertaken on the proposed site access drawing. This advised the following:

1. Provision of an uncontrolled crossing point over Bescaby Lane to the doctors surgery
2. Lowering of the dropped kerbs at the Twells Road junction so that the maximum upstand is 6mm
3. Removal of vegetation/ tree branches around the street lighting column closest to the proposed site to provide appropriate illumination
4. Cleaning and repairing the existing 30mph speed limit roundels and an improved gateway feature to reduce vehicle speeds

The CHA is happy for these issues to be taken on board as part of the detailed design, however as Bescaby Lane/ Mary Lane is a no-through route with a low number of vehicles travelling beyond the 30mph limit, the CHA could not justify conditioning a gateway feature to improve the conspicuity of the change in speed limit. Visibility splays are also acceptable for the measured 85th percentile speed of traffic approaching the access.

Off-Site Implications

While the proposed development is for 45 dwellings, the TA has assessed the impact on the highway for up to 50 dwellings.

The CHA has studied the submitted TRICS data and TEMPRO figures and consider these to be acceptable.

The committed development traffic generated by the 26 dwellings off High Street (application ref 14/00777/FUL) has also been considered.

The submitted traffic flow diagrams, which were based on existing turning proportions, appear to be inconsistent with the development trip generation figures stated within the TA, with the AM peak in particular showing higher development flows arriving/ departing from the site.

The applicant has also undertaken capacity assessments for the A607 Melton Road / High Street

Agreed that the points raised in the safety audit can be submitted and controlled at the detailed stage.

Based on Table PDP1 of the 6C's Design Guide, the applicants do not need to submit a detailed Transport Statement or Transport Assessment, as the development is for 45 dwellings. Therefore the County Highway Authority would not necessarily require a detailed assessment of the Bescaby Lane/ High Street junction to be submitted. In this instance the LCC highways authority are satisfied that a minimal amount of traffic currently uses Bescaby Lane, which is effectively a cul-de-sac, and that the addition of the development traffic would not cause congestion at its junction with High Street as there is plenty of spare capacity.

/ Goadby Road and A607 Melton Road / High Street (one way link road) junctions. The higher development flows used within the traffic diagrams are also used within the capacity assessments, however as the results indicate that both junctions are expected to operate well within capacity at the future assessment year of 2021, even with additional development vehicles added to the assessment, improvements to the junctions could therefore not be justified by the CHA.

The 5 year accident history between January 2011 and December 2015 has been studied for the highway network within the village. In addition to these accidents, there have been two recorded slight accidents within the village during 2016. Both of these were 'slight' accidents, with one involving a vehicle turning right on to the A607 from Goadby Road and the other involving a collision with a cyclist on High Street. The CHA could not, however justify any highway improvements on the grounds of road safety with the addition of these two accidents.

The CHA is aware that vehicle speeds are in excess of the mandatory 20mph speed limit in force outside of the school and currently there is no school crossing patrol in operation. The CHA have been in discussion with the Transport Consultants who have advised the applicants would be willing to contribute towards a scheme to improve facilities in the area. We would be supportive of this as there would be an increase in vehicular and pedestrian traffic outside the school. The CHA has also been in discussion with the local community regarding transport issues outside the school over the last few years.

Internal Layout

It is noted the applicant intends for the internal road network to be adopted. The submitted masterplan has been stated as indicative and as the internal layout of the site is not to be determined as part of this application, the residential road layout and parking arrangements have not been checked in detail. The road layouts shown on the submitted Illustrative Masterplan would however not conform to an adoptable standard.

Transport Sustainability

Waltham on the Wolds is considered to be a sustainable location in transport terms and supports a village shop, school, church, village hall, doctor's surgery and pub.

Bus service 56, which is an infrequent service running Monday – Saturday between Melton Grantham, runs along High Street past the junction of Bescaby Lane and is hail-and-ride. As part of development ref: 14/00777/FUL, the applicants are required to provide two new bus stops, including timetable cases, poles and flags in the vicinity of the

<p>site along High Street. Due to the service traditionally being hail-and ride and the proposed development being approximately 400m from the approved development, no further bus stop improvements are required.</p> <p>The no. 8 service, which is an hourly service between Loughborough and Grantham, is located on the A607 Melton Road, which is approximately 800m from the proposed development.</p>	
<p>Leicestershire County Council Ecology Further information required on various elements including:</p> <ul style="list-style-type: none"> • Clarification on the botanical survey and a species list for the whole site. • An outline GCN mitigation plan should be submitted. This should also include mitigation for reptiles. • Plans should be amended to retain Ash tree T4. • Layout to be amended to provide a buffer from hedgerows. 	<p>Noted and will be included in any subsequent Reserved Matters Application.</p> <p>An amended GCN was submitted and contained details of how to ensure that they were protected. Further consultation will be received at reserved matters to ensure this will be achieved through the construction. Further information has been submitted by the Applicant with respect of the botanical survey, an outline GCN Mitigation Plan has been submitted and the Ash tree will be retained. A Layout to provide a buffer from hedgerow will also be submitted at Reserved Matters Stage'</p>
<p>Lead Leicestershire Flood Authority Initially objected but through extensive work with the consultants have produced sufficient evidence to remove the objection and can now advise that the proposed development would be considered acceptable to Leicestershire County Council as the Lead Local Flood Authority conditions are attached to any permission granted:</p> <ul style="list-style-type: none"> • <i>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.</i> • <i>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.</i> • <i>No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.</i> • <i>As part of the first reserved matter application a report detailing the findings of the infiltration testing carried out in accordance with BRE 365 soakaway design shall be submitted to, and approved in writing by, the Local Planning Authority.</i> 	<p>Noted and conditions can be applied</p>

<p>Leicestershire County Council Archaeology LCC Archaeology</p> <p>No objection subject to conditions Trial Trenching was carried on the site and found light spread of activity was confined to the south-western corner of the development area. Because of this and likely other findings conditions are recommended:</p> <p><i>No demolition/development shall commence until a programme of archaeological mitigation work (archaeological excavation) has been detailed within a Written Scheme of Investigation (WSI), submitted to and approved by the Local Planning Authority in writing. The WSI shall include a statement of significance and research objectives, and:</i></p> <ul style="list-style-type: none"> -- <i>The programme and methodology of site investigation and recording, with consideration of appropriate analytical methods to be utilised;</i> -- <i>A detailed environmental sampling strategy, linked to the site research objectives and where appropriate informed by previous work (i.e. any previous archaeological evaluation or investigation of this site or in the vicinity);</i> -- <i>The programme for public outreach and dissemination;</i> -- <i>The programme for post-investigation assessment and subsequent analysis;</i> -- <i>Provision for publication, dissemination and deposition of resulting material in an appropriate archive repository; and</i> -- <i>Nomination of competent person(s) or organisation(s) to undertake the agreed work.</i> <p><i>For land and structures included within the WSI, no demolition, development or related ground disturbance shall take place other than in accordance with the agreed WSI.</i></p> <p><i>The programme of archaeological site investigation, subsequent analysis, publication, dissemination and deposition of resulting material in an appropriate archive repository shall be completed within 12 months of the start of development works, or in full accordance with the methodology and timetable detailed within the approved WSI.</i></p>	<p>Noted and conditions can be applied</p>
<p>Western Power Distribution Budget costs in Waltham have been provided and the number to date will be catered by reinforcing the electricity network locally in Melton and Waltham.</p> <p>Western Power have a statutory duty under our operating licence to provide adequate connections for existing and future customers. The only potential downside would be if a new development required major reinforcement to the network then they would be expected to fund it.</p>	<p>Noted</p>

<p>SEE ALSO ITEM 3 OF THIS AGENDA FOR DETAILS OF THE IMPROVEMENTS REQUIRED IN RELATION TO MULTIPLE APPLICATIONS.</p>	
<p>Parish Council: Object on the following grounds:-</p> <ol style="list-style-type: none"> 1. The site has not been allocated for new housing development within the draft Melton plan or the emerging neighbourhood plan and is outside of the village envelope. 2. If approved, this proposal would exceed the requirement of the draft Local Plan by 25 dwellings; therefore we see no need for a further development of this size. 3. The development of the site would have an adverse impact upon the character and appearance of the countryside which contributes to the setting of the village. 4. The density of the development would not be in keeping with the form or character of the village. 5. The harm would significantly and demonstrably outweigh the benefits of the development. 6. The site is a 'Saxon Field' with land use and boundaries that have been unchanged for at least two centuries and would destroy well preserved 'ridge & furrow'. The 'desk based' archaeological survey indicates the potential for archaeological remains from the Roman period and unknown potential for pre-historic and Anglo Saxon remains. The Senior Planning Archaeologist from LCC commented in her response dated 11th January; 'Should you be minded to refuse this application on other grounds, the lack of archaeological information should be an additional reason for refusal, to ensure the archaeological potential is given future consideration.' 7. The site is in close proximity to a site of special scientific interest – the old quarry with an abundance of wildlife. 8. Although reference has been made within application documents to ecological surveys there are no surveys for Crested Newts, Roosting Bats and reptiles. There is no Phase1 Ecological survey with the application. 9. The un-disturbed site provides a safe refuge for significant numbers of birds including kestrel, yellow hammer, linnets, chaff and owls. This 	<ol style="list-style-type: none"> 1. This is within the new local plan which cannot be afforded full weight as it is not yet adopted (this is addressed in greater detail below). 2. As above, as the local plan is not fully adopted and therefore we need to consider the NPPF, particularly paragraph 49 in which makes clear that Housing applications should be considered in the context of the presumption in favour of sustainable development which it is the view that this application represents. 3. The scheme albeit protruding from a main road of the village still fits in comfortably between existing properties, particularly to the west and the houses on Windsor Road. <p>Density and layout issues are not known at this stage owing to 'outline' nature of this application.</p> <p>Noted – balancing harm and benefit is the correct basis to assess applications under para 14 of the NPPF</p> <ol style="list-style-type: none"> 6. The results of this are still to be concluded and any permission should be subject to such time that archaeological considerations have been fully addressed and the results assessed as acceptable 7. Natural England have confirmed that this SSSI is far enough away not to have any significant impact on the scheme . 8. Ecology reports were submitted and relevant conditions can be imposed to make sure that this element of the proposal is acceptable. 9. These species do not benefit from protection under the legislation except in terms of the nesting habitat in the appropriate season

<p>development would potentially destroy a long established habitat. The Wildlife Trust has not been consulted in respect of this application.</p> <p>It should be noted that the traffic survey equipment placed in connection with this application was sited in a position to only record traffic going to the hamlet of Bescaby. The location of this equipment means it would not record traffic to Waltham surgery or Twells Road and is therefore inaccurate. Attached are evidential photos.</p> <p>The Waltham and Thorpe Arnold Parish Council request that the application is rejected for the planning reasons stated above.</p>	<p>The full speed survey results as discussed above where carried out properly and showed accurate results according to the LCC highways department.</p>
<p>Melton Borough Council Building Control: In respect of the proposed site layout, there does appear issues with travel distances to the refuge appliance but, satisfactory for fire access.</p>	<p>Noted.</p> <p>The application is in outline with layout reserved for later approval. These issues would be assessed upon consideration of the layout.</p>
<p>Developer Contributions: s106</p> <p>Highways To comply with Government guidance in NPPF the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:</p> <ul style="list-style-type: none"> • Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). • 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £360.00 per pass). • Details of the routeing of construction traffic, to be approved by the Local Planning Authority in consultation with the Highway Authority, should be included in a S106 legal agreement. During the period of construction, all traffic to and from the site shall use the agreed route at all times unless otherwise agreed in writing by the LPA. • Pedestrian crossing over the A607 as an additional benefit to the scheme A figure of £30,000 has been proposed by LCC Highways and this has been agreed by the Applicant. <p>Waste - The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste</p>	<p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p> <p>It is considered that the contributions requested are justified and necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contributions are to be used for the purposes of highway safety and providing the additional capacity at the relevant school and similarly waste facilities.</p>

facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of **£3720** (to the nearest pound).

Education -

The LEA have advised that the primary school is capable of expansion to accommodate the additional demand created by the development but the works involved, and their exact cost, would be dependent upon the total number of houses approved.

Similarly, whilst capacity exists in the secondary sector at present for 58 houses, this would not cater for all developments and contributions would be required if this figure was exceeded.

SEE ITEM 3 OF THIS AGENDA FOR FULL DETAILS.

NHS Contributions

The above development is proposing 45 dwellings which, based on the average of 2.4 people per dwelling for the Melton Borough Council area, would result in an increase in patient population of 108.

The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.

Consulting room GP

Proposed population	108
Access rate	5260 per 1000 patients
Anticipated annual contacts	$0.108 \times 5260 = 568$
Assume 100% patient use of room	568
Assume surgery open 50 weeks per year	$568/50 = 11.4$
Appointment duration	15 mins
Patient appointment time per week	$11.4 \times 15/60 = 2.8$ hrs per week

Treatment room Practice Nurse

Proposed population	108
Access rate	5260 per 1000 patients
Anticipated annual contacts	$0.108 \times 5260 = 568$
Assume 100% patient use of room	$568 \times 20\% = 113.6$
Assume surgery open 50 weeks per year	$113.6/50 = 2.272$
Appointment duration	20 mins

These contributions are considered fair and reasonable in scale and kind to the proposed scale of development and is in accordance with the thresholds identified in the adopted policies and to meet the additional demands on the education infrastructure which would arise due to this proposed development. and are acceptable within CIL Regulation 122 terms as related to planning, proportionate and reasonable in scale

Patient appointment time per week	$2.272 \times 20/60 = 0.8$ hrs per week
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Therefore an increase in population of 108 in the Melton Borough Council area will place extra pressure on existing provisions, for example- extra appointments requires additional consulting hours (as demonstrated in the calculations above.) This in turn impacts on premises, with extra consulting/treatment room requirements.

Furthermore, although this development proposal is for 45 dwellings, 2 other developments have been submitted for Waltham on the Wolds totalling another 159 dwellings. If a further 159 houses are built, this would result in an increase in population of approx. 382, requiring an additional 10.0 hours of GP patient time and 2.7 hours of practice nurse treatment time per week on top of the figures quoted in the table above.

Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity.

As such, although The Welby Practice (which has a branch surgery at Waltham on the Wolds) is the most likely to be affected by the new development, The Stackyard Surgery may also be affected.

This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.

Of the practices covering the development in Waltham on the Wolds, The Welby Practice and The Stackyard Surgery currently have 10 patients per square meter and 7 patients per square meter retrospectively, and the growth in area population as a result of this development would increase these figures. Experience has shown that as practices approach the 15 patients per square meter threshold they typically experience difficulties around their premises and clinical resources.

To mitigate this, the s106 funding would go towards The Welby Practice's branch surgery at Waltham on the Wolds, where they require funding to upgrade the existing clinical rooms and redevelop a kitchen area into a clinical space in order to cope with the increase in patient demand. The site also requires work in order to make it more accessible under Disability Discrimination Act guidelines (e.g. - low threshold doors and a disabled car parking space). As The Welby Practice is a dispensing practice, in order to cope with the additional demand the

<p>population increase would result in, they would need to upgrade their dispensaries. To do this, the practice has proposed developing their Waltham on the Wolds branch into a dispensing hub for all of their sites, which would entail an internal reconfiguration of the building to increase its dispensary and storage capacity.</p> <p>All of this would be subject to a full business case and approval by NHS England, with any proposed expenditure taking place when the s106 funds are released by the developer as per the agreement and within the agreed timescale for expenditure of the funds. Details calculation have been provided which show the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the required area and furnishings, a total cost of £185 per patient is determined. This figure is multiplied by 2.4 (the average number of persons per dwelling for Melton Borough Council) to provide a funding request of £19,980.00.</p>	
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Representations:

Site notices were posted, an article was put in the Melton Times and neighbouring properties consulted. As a result **76 letters of objection have been received from 73 separate households**; the representations are detailed below:

Representations	Assessment of Head of Regulatory Services
<p>Impact upon the Character of the Area The amount of planning applications that are currently being applied for, the village is likely to double in size over the next ten years.</p> <p>Overdevelopment of the village, leading to a loss of character</p> <p>Concerned that shielding of new development from existing gardens is not planned and would destroy character</p> <p>Increase the light pollution within a conservation area and would be detrimental to the overall look of the village</p> <p>In the wrong location / wrong side of the village</p>	<p>An illustrative masterplan has been developed by the agent following consideration of the constraints and opportunities identified in the accompanying technical reports.</p> <p>The indicative masterplan makes provision for adequate parking and public open space in accordance with the Council’s standards to achieve a well-designed development meeting the needs of future occupiers. It also shows adequate scope to relate satisfactorily to existing houses, in terms of distance separation etc</p> <p>Waltham as a whole displays housing of varying character including more modern layouts in parts. This site is some distance and separated from the historic core and Conservation Area and would also be viewed and experienced separately from its surroundings so as to avoid creating a stark contrast, or visually conflict; a clear appreciation of its character would only be obtained if entering the development itself. Issues of the cumulative scale of development and location of the site in relation to the village are addressed in greater detail below.</p>
<p>Impact upon Highway Safety: Frequent near-accidents when traffic comes up the High Street observed.</p>	<p>The applicant has supported the application with robust surveys and supporting information that the Leicestershire County Council Highways department have confirmed are acceptable.</p>

<p>Foresee many problems on this junction when many more cars will be turning right from Bescaby to join an already badly contested High Street at peak times.</p> <p>Foresee additional congestion problems along High Street and Bascaby Lanes, especially at the junction.</p> <p>Access onto Bescaby lane will add significantly to the traffic flow on this single track road</p> <p>The road junction with High Street and Melton Road and Goadby Road could see an increase in accidents. The road is also used as a diversion if the nearby A1 is closed.</p> <p>New development would add additional pressure to Melton Road, Goadby Road and High Street Crossroads as well as High Street and Melton Road.</p> <p>Access to the site is unsafe</p> <p>False traffic reading was used by the development during traffic assessment – used figures from de-restricted speed zone rather than 30 mph zone.</p> <p>Foresee issues with access for emergency vehicles due to existing parking along the road</p> <p>Survey Results The strip that measures traffic is actually past the surgery with none before it. This therefore makes for an inaccurate reading of the use of the Lane and only records vehicles using the Lane to the hamlet of Bescaby. This is important because it will reduce the actual vehicle use numbers going in and out onto the High Street thus giving a false reading.</p>	<p>The Highways Authority have no overarching objection to this development in terms of access and visibility (see page 3 and 4 above) They have requested contributions for improvements locally and to create sustainable development. They do have concerns regarding the layout but at reserved matters stage this can be made satisfactory.</p> <p>Conditions imposed will provide a scheme that will not result in an unacceptable impact on highway safety.</p> <p>See below on comments on the survey</p> <p>The submitted Transport Assessment states that an Automatic Traffic Counter (ATC) was in operation at the location of the proposed site access between 19-25th January 2016. Either way, appropriate visibility splays can be achieved from the site access for the recorded speeds of traffic, and due to the location of the site access it is highly unlikely drivers would speed up further as the junction of Bescaby Lane/ High Street which is only around 140m away from the site access.</p> <p>The applicants also undertook manual counts at the junctions along Bescaby Lane during the peak hours, and the overall existing level of traffic is shown to be low. As well as the doctors surgery, there are approximately 17 properties accessed off Bescaby Lane, the peak hour trip generation from these combined would be lower than what would be generated by the 50 dwellings assessed as part of the proposed development. Overall the Highways Authority is therefore satisfied that the junction would be able to cope with the additional development traffic.</p>
<p>Impact upon wildlife Concern over existing wildlife including nesting birds</p>	<p>The Council's Ecological advisor did have initial concerns and additional survey work is being carried out. Any permission should be</p>

<p>Potential imbalance to the natural fauna and flora in the area</p> <p>Impact on nearby SSSI site</p> <p>Impact of the development on existing trees</p>	<p>‘subject to’ the satisfactory results pf this work.</p> <p>Natural England were consulted on this application and had no concern regarding the SSSI.</p> <p>A landscaping plan can be required by condition to protect trees of importance</p>
<p>Housing numbers</p> <p>The recent Government announcement of plans for a ' Garden Village ' of up to 4000 homes on the outskirts of Grantham means this development is not needed.</p> <p>The site has not been allocated for housing in the Melton Borough Draft Local Plan or the Parish Plan</p> <p>No local need for housing</p> <p>No local need for affordable housing</p>	<p>The site referred to is in a different housing market area and will make no contribution to that relevant to Melton Borough.</p> <p>The draft Melton Local Plan cannot be afforded full weight due to its stage in the process. Determination is therefore governed by other planning policy, namely the NPPF which looks to assess each application separately based on its own merits. The parish plan is unfortunately not an approved planning policy and there is no statutory duty to observe this to determine this application.</p> <p>There is a housing shortage nationally and the Borough of Melton is no different. Between 2011-2016 512 new homes were built, based upon the requirements of the Strategic Housing Market Assessments 1225 were needed (245 per year) – a deficit of 713.. The need for new housing is well established and was reconfirmed by the Borough Council’s Housing Needs Study which was published in August 2016.The area has undelivered housing in recent years and a significant shortfall has arisen.</p> <p>The evidence on affordable housing need has shown that affordable housing is needed in all developments this application should help to provide this.</p>
<p>Historical site</p> <p>The site is a significant historical Saxon field, being one of the last unspoilt ridge and furrow fields in the count</p>	<p>Archaeological trenching has now been undertaken and it was negative other than a very few medieval features in the westernmost trench. The geophysical anomalies were modern services or geological in origin.</p>
<p>Impact on village amenities</p> <p>Foresee issues with existing drainage and sewage system.</p> <p>Facilities in the village may not be able to support additional residents.</p> <p>School nearing capacity</p> <p>Lack of local employment</p>	<p>The planning application for consideration will contribute towards the school to enable further school places for the new residents. The site falls within the catchment area of Waltham on the Wolds C of E Primary School. The LEA advise that the School has a net capacity of 100 and 107 pupils are projected on roll should this development proceed; a deficit of 7 pupil places after taking into account the 11 pupils generated by this development. However they advise that this can be overcome by adaption of the village school to generate the required capacity (see also item 3 of this agenda).</p>

Poor local bus service	There is a bus service that serves the village and more residents will assist in maintaining its viability..
Parish Council will not be able to support the additional amenities planned, including maintenance of green spaces	The proposal does not generate facilities that will necessarily fall to the PC to maintain. The new houses would contribute to Parish Council precepts in the same manner as existing.
Foresee additional crime and antisocial behaviour rates. Fewer local police in the area to cope.	There is no evidence to demonstrate this consequence.
Flooding Village is already prone to flooding	Conditions can be imposed to minimise the impact of flooding and the area in question is not within a recognised flood zone by the Lead Flood Authority or Environment Agency.

Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
<p>Neighbourhood Plan</p> <p>Concern that development should not go ahead until the Neighbourhood Plan is complete.</p> <p>The Waltham Neighbourhood Plan is still in development and recently completed its ‘Reg 16’ consultation exercise. The parish council and currently deciding whether to proceed to Examination and, subsequently, Referendum.</p> <p>The site lies outside the Village Envelope Identified by the Neighbourhood Plan and is therefore contrary to Policy S1 which states that:</p> <p><i>“Development proposals within the Neighbourhood Plan area will be supported on sites within the Limits to Development as identified in Figures 3 and 4 (overleaf) where they comply with the policies of this Neighbourhood Plan and subject to design and amenity considerations. Land outside the defined Limits to Development will be treated as open countryside, where development will be carefully controlled in line with local and national strategic planning policies”.</i> (Exceptions are also listed which are not applicable to this proposal).</p> <p>Policy H1 states: <i>Having regard to the number of dwellings already constructed plus existing sites with planning permission and allowing for allocated draft Local Plan sites within the Limits to Development, the Parish has exceeded its housing requirement over the Plan period. Therefore, until such a time as there is an increase in housing need across Melton Borough or unless there is a failure to deliver the existing commitments, further housing development in the Parish will be restricted to</i></p>	<p>National Planning Policy Guidance states that :</p> <p><i>a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and</i> <i>b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”</i></p> <p>It goes on to advise that “ <i>Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period”</i></p> <p>Where refusal of planning applications are made on the grounds of prematurity the authority needs to indicate clearly how planning permission would prejudice the outcome of the plan-making process.</p> <p>It is considered that the NP is not in the position to which the National Guidance advises ‘prematurity’ concerns can be applied, and therefore not considered that a refusal could be reasoned on the grounds of prematurity in light of the above factors.</p> <p>However the Neighbourhood Plan is a material consideration that should be taken account in determining the application, alongside all others. It is considered that its weight should be ‘limited’ . PLEASE SEE ITEM 3 OF THIS AGENDA FOR GREATER DETAIL.</p>

<p><i>Windfall development in line with Policy H8.</i></p> <p>The site has been identified as being of Environmental Significance and is the subject of Policy ENV4 which states: <i>23 sites in the Parish (see map on Figure 10 and environment inventory in Appendix E) have been identified as being of local significance for wildlife (biodiversity) and/or history. They are important in their own right and are locally valued. The protection and enhancement of the identified significant features will be supported</i></p> <p>It also contains some important trees and hedgerows identified in the NP which are addressed by Policy ENV6 as follows: <i>Development proposals that will affect trees, woodland and hedges of environmental (biodiversity, historical, arboricultural) significance, or of landscape or amenity value, will be resisted.</i></p> <p><i>Proposals for new-build housing should be designed to retain such trees and hedges wherever possible. Where destruction cannot be avoided developers will be required to plant replacement trees (on a two-for-one basis) and/or hedges, either on the site or elsewhere in the parish.</i></p> <p><i>Hedgerows are to be retained and protected. Where minor loss is unavoidable, it must be minimised and loss mitigated with replacement planting of locally appropriate native species providing a net gain in length and quality.</i></p> <p>Policy ENV11: Ridge and Furrow Fields is also applicable:</p> <p><i>The areas of well-preserved ridge and furrow earthworks (see Figure 14) are non- designated heritage assets, and any harm arising from a development proposal, or a change of land use requiring planning approval, will need to be balanced against their significance as heritage assets.</i></p> <p>Finally, the proposal is contrary to Policy ENV12: Protection of Important Views, in which views in to Waltham Southwest from Bescaby Lane: a good view of the village with the characteristic Church steeple across pasture with fine ridge and furrow earthworks have been specifically identified.</p> <p><i>The Policy requires that “Development proposals should respect the open views and vistas”</i></p>	<p>The conflict with the Neighbourhood Plan is a factor that is considered weighs against the granting of permission.</p>
<p>Application of Planning Policy The NPPF recognises that housing should meet the needs of present and future generations (para</p>	<p>Waltham is considered to perform well in sustainability terms owing to its community facilities and transport links. Recent decisions</p>

10). It continues to recognise the importance for local planning authorities to understand the housing requirements of their area (para 28) by ensuring that the scale and mix of housing meets the needs of the local population. This is further expanded in para 110-113, in seeking to ensure that housing mix meets local housing need.

The NPPF seeks to boost the economy and house supply to meet local housing needs.

made by the Council and on appeal by the Secretary of State have described it as a sustainable location for housing for these reasons and there have been no material changes to this position in the interim. It is therefore considered that it could be impossible to refuse the application of the basis of the sustainability of the location.

However, sustainability also takes into account economic and environmental factors and it is recognised that the site is 'greenfield' without a presumption for development. This is considered to weigh against the proposal. However, the land is not identified by any study or policy as important to the setting of Waltham nor is it designated as important countryside, for example through National Park, AONB or any other landscape designation giving it 'special' status. Accordingly it does not meet the types of location that the NPPF requires to be protected and accordingly only limited weight can be afforded to this aspect.

5 year land supply issues:

The application is required to be considered against the Local Plan and other material considerations. The NPPF is a material consideration of some significance because of its commitment to boost housing growth.

The NPPF advises that local housing policies will be considered out of date where the Council cannot demonstrate a 5 year land supply and where proposals promote sustainable development objectives it should be supported.

The Council's most recent analysis shows that there is the provision if a 5 year land supply and as such the relevant housing policies are applicable.

However, the 1999 Melton Local Plan is considered to be out of date and as such, under para. 215 of the NPPF can only be given limited weight.

This means that the application must be considered under the 'presumption in favour of sustainable development' as set out in para 14 which requires harm to be balanced against benefits and refusal only where "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".

Furthermore, a recent appeal decision (APP/Y2430/W/16/3154683) in Harby made clear that 'a supply of 5 years (or more) should not be

	regarded as maximum.’ Therefore any development for housing must be taken as a whole with an assessment of other factors such as access, landscape and other factors...”
<p>The (new) Melton Local Plan – Pre submission version.</p> <p>The Pre Submission (including ‘Focussed Changes’) version of the Local Plan was submitted to the Secretary of State for Examination on 4th October 2017.</p> <p>The NPPF advises that: From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> ● the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); ● the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and ● the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). <p>The Local Plan identifies Waltham as a ‘service centre’ in respect of which, under Policy SS3, development of up to 10 dwellings would be acceptable, subject to satisfying a range of criteria specified.</p>	<p>Whilst the Local Plan has progressed by advancing to Pre-submission stage, it remains in preparation and as such can be afforded only limited weight. (PLEASE SEE ITEM 3 OF THIS AGENDA FOR GREATER DETAIL).</p> <p>We therefore need to consider the application in accordance with paragraph 215 of the NPPF which states due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).</p> <p>It is therefore considered that it can attract weight but this is limited at this stage.</p> <p>The site is not identified for housing purposes in the Emerging Local Plan.</p> <p>The conflict with the Local Plan is a factor that is considered weighs against the granting of permission.</p>

Conclusion

It is considered that the application presents a balance of competing objectives and the Committee is invited to reconcile these in reaching its conclusion.

The Borough is deficient in terms of housing delivery more generally and this would be partly addressed by the application, Affordable housing provision remains one of the Council’s key priorities. This application presents the policy position of 37% of affordable units which is 17 out of the 45.

Waltham is considered to be a sustainable location for housing having access to various facilities, primary education, local shops, and a regular bus services and limited distances to employment opportunities and this has been established in previous decisions. This is reflected in its identification as a ‘service centre’ in the Emerging Local Plan and housing allocations made by the Local Plan and Neighbourhood Plan..

It is considered that balanced against the positive elements are the site specific concerns raised in representations, particularly the development of the site from its green field state and impact on the character of the village and highway safety, and conflict with both local and Neighbourhood Plans.

The Local Highway Authority do not consider that the proposal would lead to severe harm to highway safety. In terms of character of the area, the submitted application is in outline stage only and the applicant has undertaken a detailed appraisal of the character of the settlement including a landscape assessment. The site is not covered by any specific designation however the proximity to the Conservation Area is noted.

Full details of appearance, layout and scale will be a matter for subsequent reserved matters applications where matters of design and impact can be fully assessed.

Contributions to provide additional capacity at the nearest Civic Amenity site and library are of a tariffed style request that will be 'pooled' under CIL Regulation 123 (3) whereby no more than five contributions can be pooled for any single infrastructure project. As stated above the request for improvements to the civic amenity site and library has been allocated to a specific projects that will increase the capacity at the site.

The education contribution would be used for the provision, improvement, remodelling or enhancement of education facilities at schools in the locality of the development which the residents of the development would usually be expected to attend at both Primary and Secondary level (if applicable). They are therefore all considered appropriate for inclusion in a Section 106 agreement.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from this proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issue is considered to be development of a greenfield site.

The issue of development a greenfield site is considered to be of limited harm, bearing in mind its location and the absence of any identification that it is of particular landscape value, and conflict with Local and Neighbourhood Plans have limited weight as a consequence of their state of advancement and circumstances surrounding them.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits; it is considered that permission can be granted.

Recommendation: PERMIT, subject to:-

- (a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:**
- (i) Contribution for the improvement to civic amenity sites at £3,720
 - (ii) Contribution to sustainable transport options
 - (iii) Contribution towards a crossing near the Waltham school
 - (iv) Contribution for education at primary and secondary level (see item 3 of this agenda)
 - (v) Contribution for the health service capacity at £19,980
 - (vi) 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

(NB with regard to (iii) above, the contribution is dependant upon the results of the feasibility work being carried out by the Local Education Authority (see item 3 of this agenda) and the outcomes of other applications. Any decision should be subject to the result of this work and the agreement of the applicant to the contribution that arises as a result).

(b) The following conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site until approval of the details of the "external appearance of the building(s) and landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
3. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. 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.

5. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.
6. 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.
7. 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.
8. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.
9. No development approved by this planning permission, shall take place until such time a report detailing the findings of the infiltration testing carried out in accordance with BRE 365 soakaway design shall be submitted to, and approved in writing by, the Local Planning Authority.
10. 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
11. The development shall be carried out in accordance with the measures set out in the Preliminary Ecological Assessment, Preliminary Bat Roost Assessment, Great Crested Newt Survey, Reptile Survey, Tree Survey and Arboricultural Report submitted as part of the application.
12. No demolition/development shall place/commence until a programme of archaeological mitigation work (archaeological excavation) has been detailed within a Written Scheme of Investigation (WSI), submitted to and approved by the Local Planning Authority in writing. The WSI shall include a statement of significance and research objectives, and:
 - The programme and methodology of site investigation and recording, with consideration of appropriate analytical methods to be utilised;
 - A detailed environmental sampling strategy, linked to the site research objectives and where appropriate informed by previous work (i.e. any previous archaeological evaluation or investigation of this site or in the vicinity);
 - The programme for public outreach and dissemination;
 - The programme for post-investigation assessment and subsequent analysis;
 - Provision for publication, dissemination and deposition of resulting material in an appropriate archive repository; and
 - Nomination of competent person(s) or organisation(s) to undertake the agreed work.

For land and/or structures included within the WSI, no demolition, development or related ground disturbance shall take place other than in accordance with the agreed WSI.

13. The programme of archaeological site investigation, subsequent analysis, publication, dissemination and deposition of resulting material in an appropriate archive repository shall be completed within 12 months of the start of development works, or in full accordance with the methodology and timetable detailed within the approved WSI.
14. Details of the routing of construction traffic, to be approved by the Local Planning Authority in consultation with the Highway Authority, should be included in a S106 legal agreement. During the period of construction, all traffic to and from the site shall use the agreed route at all times unless otherwise agreed in writing by the LPA.

15. The site shall be served by a single point of vehicular access as shown generally from Bescaby Lane on Rogers Leesk Drawing No. P 15-506 Rev A (and including the provision of an uncontrolled pedestrian crossing to the doctors surgery) the full details of which shall first have been submitted to and approved by the LPA in consultation with the CHA before development commences. Notwithstanding the proposed design in the drawing ref: P 15-506 Rev A, all design matters shall be in accordance with the standards contained in the current County Council design guide and shall thereafter be permanently so maintained. Nothing shall be allowed to grow above a height of 0.6 metres above ground level within the visibility splays. The approved junction shall then be provided fully in accordance with the approved plans before any dwelling hereby permitted is first occupied.

NOTE: If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

16. Notwithstanding the details submitted, all details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing, signing and lining and visibility splays and be submitted for approval by the local Planning Authority in consultation with the Highway Authority before development commences.

NOTE: Your attention is drawn to the requirement contained in the Highway Authority's current design guide to provide Traffic Calming measures within the new development.

17. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.
18. Prior to any dwelling hereby permitted is first occupied, any existing vehicular access that currently serve the site that become redundant as a result of this proposal shall be closed permanently and the existing vehicular crossings reinstated in accordance with a scheme that shall first have been submitted to and approved by the LPA in consultation with the Highway Authority.

Reasons:

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
4. To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public, nature conservation or historical significance.
5. To provide a reasonable period for the replacement of any planting.
6. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
7. 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 through the entire development construction phase..
8. To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.
9. To ensure that the site layout allows for the utilisation of infiltration drainage, and that the final surface water drainage solution can be design accurately.
10. 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.

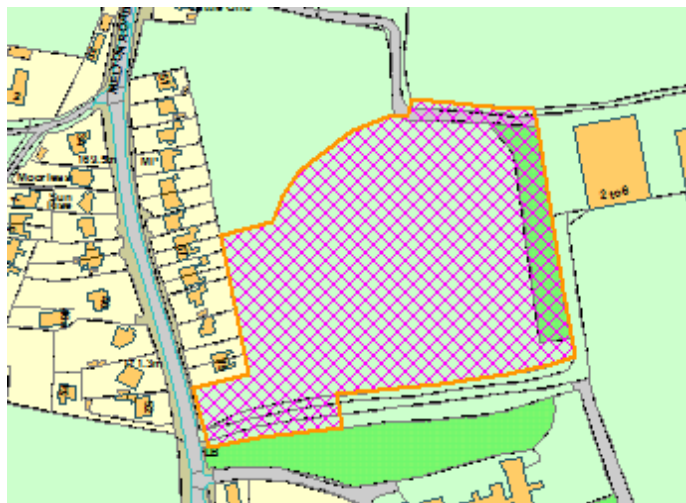
11. To ensure that the habitats of protected species are not harmed by the development.
12. To ensure satisfactory and proportionate archaeological investigation and recording of the significance of any heritage assets impacted upon by the development proposal prior to its loss, in accordance with local and national planning policy.
13. To make the archaeological evidence and any archive generated publically accessible, in accordance with local and national planning policy.
14. In the interests of highway safety
15. To ensure a satisfactory form of development and in the interests of highway safety.
16. To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.
17. To ensure a satisfactory form of development and in the interests of highway safety.
18. To reduce the number of vehicular accesses to the site and consequently to reduce the number of potential conflict points.

Officer to contact: **Mr Glen Baker-Adams**

Date: 5th October 2017

COMMITTEE DATE: 17th October 2017

Reference: 16/00847/OUT
Date submitted: 11.11.2016
Applicant: K & A Watchorn & Sons - Mr M Watchorn
Location: Fair Farm, 33 Melton Road, Waltham On The Wolds
Proposal: Residential development of up to 60 new dwellings, together with new areas of public open space, landscaping, access and drainage infrastructure.



The application is reported back to Committee following deferral on 29th June 2017 to consider the following issues:

1. Investigation Water supply and sewerage infrastructure issues
2. The contribution of section 106 funding required for additional school places
3. Consideration of the impact to the surgery
4. Consideration of the impacts on electricity supply

In response to these points please see the report 'Waltham On The Wolds 'Common Issues'(item 3 of this agenda).

The report, including additional comments/representations received since the publication of the last report is repeated below.

Proposal :-

This application seeks **outline planning permission for up to 60 dwellings** (including 22 affordable: 37%). The site is approximately 2.9 hectares and lies outside of the village envelope for Waltham on the Wolds. Residential properties lie to the west and an open field with outline planning permission for up to 45 dwellings (15/01011/OUT) lies to the north. To the east of the site is Fairfield Industrial Park and Waltham Hall Nursing Home lies to the south. The proposal incorporates a new vehicular access via an upgrade to the existing Fairfield Industrial Estate access on Melton Road. The site is considered to be greenfield site with no presumption in favour of development

The application is in outline with all matters reserved

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

- **Compliance or otherwise with the Development Plan and the NPPF**
- **Impact upon the character of the area**
- **Impact upon residential amenities**
- **Sustainable development**
- **Traffic and access issues**

The application is required to be presented to the Committee due to the level of public interest.

History:-

There is no history relevant to this site however, phase 1 of this development which lies directly to the north of the site was granted planning permission:-

15/01011/OUT - Residential development of up to 45 new dwellings, together with new areas of public open space, access, landscaping and drainage infrastructure – Permit with a S106 on 18.07.16.

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 - does not allow for development outside the town and village envelopes shown on the proposals map **except** for development essential to the operational requirements of agriculture and forestry, and small scale development for employment, recreation and tourism.

Policy OS3: The Council will impose conditions on planning permissions or seek to enter into a legal agreement with an applicant under section 106 of the Town and Country Planning Act 1990 for the provision of infrastructure which is necessary to serve the proposed development.

Policy BE1 - allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

Policy H10: planning permission will not be granted for residential development unless adequate amenity space is provided within the site in accordance with standards contained in Appendix 5 (requires developments of 10 or more dwellings to incorporate public amenity space for passive recreation with 5% of the gross development site area set aside for this purpose).

Policy H11: planning permission will not be granted for residential development of 15 or more dwellings unless it makes provision for playing space in accordance with the Councils standards at Appendix 6 of this Local Plan (on developments of 50 or more dwellings, every dwelling must be within a 5 minutes walk (240m straight line distance) of a LEAP (Local Equipped Area for Play).

Policy C1: states that planning permission will not be granted for development which would result in the loss of the best and most versatile agricultural land, (Grades 1, 2 and 3a), unless the following criteria are met: there is an overriding need for the development; there are no suitable sites for the development within existing developed areas; the proposal is on land of the lowest practicable grade.

Policy C15: states that planning permission will not be granted for development which would have an adverse effect on the habitat of wildlife species protected by law unless no other site is suitable for the development Policy C16.

The National Planning Policy Framework introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are

out -of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Take account of the different roles and characters of different areas, promoting the vitality of urban areas, recognising the intrinsic character and beauty of the countryside and support thriving rural communities.

On Specific issues it advises:

Promoting sustainable transport

- Safe and suitable access to the site can be achieved for all people
- Development should be located and designed (where practical) to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- Consider the needs of people with disabilities by all modes of transport.

Delivering a Wide choice of High Quality Homes

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- LPA's should identify land for 5 years housing supply plus 5% (20% if there is a history of under delivery). In the absence of a 5 year supply housing policies should be considered to be out of date.
- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and enhancing the natural environment

- Encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value
- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be

approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority: No objection. The residual cumulative impacts of development can be mitigated and are not considered severe in accordance with Paragraph 32 of the NPPF, subject to the Conditions and Contributions as outlined in this report.</p> <p><u>Site Access</u> The site access is proposed off an existing business park access, which connects to the A607 Melton Road. As the access is not to be considered at this stage it has not been checked in detail, however appropriate visibility splays can be achieved.</p> <p><u>Off-Site Implications</u> The submitted TRICS data is considered to be acceptable. Trip generation has been based on the Phase 1 application which was considered acceptable. Should the phase 1 and 2 developments be linked via appropriately designed routes, the CHA is also satisfied that both accesses could cater for the overall development traffic.</p> <p><u>Internal Layout</u> As the internal layout is not to be determined as part of this application, the residential road layout and parking arrangements have not been checked in detail. The road layouts shown on the submitted illustrative layout however would not conform to an adoptable standard.</p> <p>It is noted that the submitted illustrative masterplan, which includes the layout for both Phase 1 and Phase 2 shows a 'through route' connecting the two sites and both access points. While the CHA would not resist the sites being linked as this is likely to distribute traffic between the two accesses, the following two points would need to be addressed should an internal road layout including a through route be put forwards for adoption:</p> <ol style="list-style-type: none"> 1. The access road to phase 1 would need to be widened in order for the access to cater for the additional traffic generated by the Phase 2 development. 2. An appropriate section of the existing business park access would need to be adopted. <p>Should both points not be achievable, the CHA advises the applicants to sever the through route between the phase 1 and 2 sites.</p> <p><u>Transport Sustainability</u> Waltham on the Wolds is considered to be a sustainable location in transport terms and supports</p>	<p>This is an outline application for a residential development of up to 60 dwellings, with all matters including access reserved at this stage.</p> <p>Whilst access is reserved at this stage, the location of proposed points of access have been identified. A point of access onto Melton Road is gained via the existing access to Fairfields Industrial Estate, along with a second point of access to the north into the adjacent scheme (15/01011/OUT).</p> <p>There are considered to be no grounds to resist permission based on highways issues subject to the suggested conditions.</p>

<p>a village shop, school, church, village hall, doctor's surgery and pub.</p> <p>Bus service no. 8, which is an hourly service Monday – Saturday between Loughborough, Melton and Grantham, runs past the site along Melton Road with bus stops within a 400m walk from the site.</p>	
<p>LCC Rights of Way Officer</p> <p>Public Footpath F1 runs diagonally across the site from Melton Road. Welcome the indication that the Public Footpath will be accommodated on its existing line within the development.</p> <p>No objection to the application subject to a condition requiring a scheme for the treatment of the Public Footpath to be submitted and approved. The following is expected in line with this condition:-</p> <ul style="list-style-type: none"> - Footpath F1 should be provided with a 2m wide tarmaced surface with a minimum of 1m wide verges on either side. - The existing stile at Melton Road becomes redundant and should be removed. - Safety measures in place during construction 	<p>Noted. The application seeks outline consent and the layout is not yet developed.</p> <p>However it is evident that the site is capable of development incorporating the footpaths with the appropriate treatment as advised opposite.</p>
<p>LCC Ecology – No objection, subject to conditions securing mitigation.</p> <p>The updated survey (FPCR, September 2016) confirms the results of the earlier survey on the site.</p> <p>The application site appears to comprise improved grassland, with existing buffer planting to the eastern edge of the site. Great Crested Newts were recorded in ponds nearby, with evidence of a small breeding population recorded. The proposed mitigation for GCN is proportionate to the findings and would request that, should planning permission be granted, the applicant is required to follow these recommendations as a condition of the development.</p> <p>The bat surveys indicate that the site is used by bats, with the majority of the bat activity being present to the north of the application site. We are also satisfied with the proposed bat mitigation, and would request that the proposed layout is adjusted to retain a buffer between the development and the boundary at the east of the site.</p> <p>Consideration should also be given to enhancing the biodiversity value of the site throughout the development. All new boundary hedgerows are to be planted with locally native species (particularly those immediately adjacent to the countryside). Native, species-rich, planting should also be</p>	<p>Mitigation measures have been proposed for newts and bats and a condition can be imposed to safeguard the potential onsite presence of Great Crested Newts.</p> <p>The Ecology report has been independently assessed and raises no objection from the County Council Ecologist, subject to mitigation as proposed.</p>

<p>included in the proposed water attenuation area.</p> <p>The ecology survey submitted in support of application 16/00971/OUT identifies a badger sett in the area. If all of the current applications are to be approved (16/00971 and 16/00847) along with 15/01011/OUT which already has permission there is a real risk of these badgers becoming trapped unless mitigation is within all of the developments. Believe this can be accommodated mainly in mitigation associated with application 16/00971, with a decent buffer to the west and south of the development, but this will connect to the tree belt to the west of this application. This increases the need for a good buffer between the tree belt to the east of the site and the proposed development and therefore strongly recommend that measures are in place to ensure that this happens with the final design of the development.</p>	<p>The applicants have been made aware of these comments. The plans show a buffer where described and this issue can be dealt with at Reserved matters.</p>
<p>Environment Agency</p> <p>The agency has reviewed the planning consultation workload to ensure that their time and expertise is focused on those locations and developments that present the following:</p> <ul style="list-style-type: none"> • a high risk to the environment • those that are able to offer significant environmental benefit. <p>The Environment Agency has reviewed the above application and feel that, as presented, the development is in Flood Zone 1, it does not fall under either of the above categories, and therefore do not wish to comment further on these proposals.</p>	<p>Noted.</p> <p>The proposal was accompanied with a Flood Risk Assessment which did not highlight any known risks</p> <p>It is concluded that the proposed development is appropriate for the flood risk and is not expected to increase the flood risk elsewhere.</p>
<p>Lead Local Flood Authority:</p> <p>No objection subject to the following conditions:</p> <ol style="list-style-type: none"> 1. 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. 2. 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. 3. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority. 4. A detailed ground investigation and 	<p>The application is accompanied by a Flood Risk Assessment (FRA). The FRA concludes that the site is not vulnerable to flooding and is in ‘flood zone 1’.</p> <p>The Drainage proposals shown on the Illustrative masterplan are based upon Sustainable Urban Drainage (SUDS) principles and as such satisfy the requirements of the Framework to create sustainable development and not contribute to flooding.</p> <p>The application seeks outline consent and conditions can be imposed to ensure appropriate drainage methods are incorporated within the reserved matters application. Details of future maintenance also needed.</p>

<p>permeability testing shall be provided as part of the first Reserved Matters application. The information shall be approved by the Local planning authority prior to or as part of any determination on the layout or detailed drainage design to ensure that the possibility of infiltration drainage has been thoroughly assessed.</p>	
<p>STW: No objection to the proposal subject to the inclusion of the following condition.</p> <p>Condition Sewer modelling for the surface water will be carried out. (as already communicated to the developers.)</p> <p>Reason 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.</p>	<p>Noted</p> <p>PLEASE ALSO SEE ITEM 3 OF THIS AGENDA REGARDING DETAILS.</p>
<p>Western Power Distribution Budget costs in Waltham have been provided and the number to date will be catered by reinforcing the electricity network locally in Melton and Waltham.</p> <p>Western Power have a statutory duty under our operating licence to provide adequate connections for existing and future customers. The only potential downside would be if a new development required major reinforcement to the network then they would be expected to fund it.</p>	<p>Noted.</p> <p>PLEASE ALSO SEE ITEM 3 OF THIS AGENDA REGARDING DETAILS.</p>
<p>Parish Council:</p> <p>The benefits of the development are strongly outweighed by the negative impacts on the villagers. This proposal is the second phase of development on the site and is out-of-scale and out-of-character with the conservation village of Waltham on the Wolds.</p> <p>The need for more houses in the future has been acknowledged. However, if approved, this proposal would exceed the requirement in the Pre-submission Local Plan by 40 dwellings. Therefore we see no need for a further development of this size.</p> <p>The proposal would represent over-development of the site, which would be out of keeping with the style and pattern of the surrounding development and village Waltham on the Wolds. The housing estate would not contribute to the 'sense of place' nor respond to local character and history, and</p>	<p>These issues are considered in the sections below.</p> <p>The Pre Submission Local Plan is not considered to be sufficiently advanced to form the basis for decision making (see item 3 of this agenda for details). . The development must be considered under the NPPF presumption in favour of sustainable development, the benefits of the development being balanced against the harm, as identified by the policies of the NPPF.</p> <p>The site lies behind a row of houses fronting Melton Rd which are mixed and inconsistent in scale and design. It is considered that within this context there is limited harm to the character of the area.</p>

<p>reflect the identity of local surroundings.</p> <p>The proposed site is outside of the current village envelope. Policy OS2 is applicable now that the Borough has a housing supply in excess of 5 years and is not in conflict with the NPPF. The site is also outside of the 'Limits to Development' proposed in the emerging Neighbourhood Plan.</p> <p>The social sustainability of the proposed development is doubtful. The total size of the housing estate, combined with the distance from the village centre will work against effective integration into the community. It will be isolated and have a very negative impact on that sense of place.</p> <p>There is an extant feature, possibly an Iron Age/Roman site, in the site. Fully support the recommendations of the Principle Planning Archaeologist at LCC regarding site investigation and recording. However, also believe that loss of the ridge and furrow earthworks is to be avoided.</p> <p>Fully support the concerns of Waltham Primary School as expressed in the consultation response.</p> <p>Flooding remains a concern due to the 'perched' water table and consequent high water table.</p> <p>Public transport to and from the village is poor so cars are the main mode of transport. Although classed as a 'sustainable' village, the aspect of transport is not sustainable in Waltham.</p> <p>The Parish also state that analysis of the site was carried out for the Neighbourhood Plan Group. It shows that of the 26 sustainability criteria assessed, 13 of the factors (i.e. 50%) are rated as Red. The conclusion is that the site is not suitable for sustainable development.</p>	<p>Policy OS2 and the associated village is considered to be out of date due to its incompatibility with the NPPF as a policy restricting housing supply. The NPPF takes precedence in these circumstances under these circumstances (para. 185), and this is not resolved as a result of the current position in 5 year land supply.</p> <p>Noted. The site is less distant than other parts of the village from its centre.</p> <p>The Archaeologist has recommended investigation and recording as a result of the potential content of the site. This can be achieved through conditions.</p> <p>Please see comments below from the local education authority regarding scope to increase the capacity of the school, and on page 1 of the report regarding the possibility of more than one development proceeding.</p> <p>The village is on a bus route allowing access to Melton and Grantham where employment and a wide range of services are available.</p> <p>In response to this the agent has stated that this assessment is fundamentally flawed. It is not supported by any robust evidence and fails to take any account of the detailed supporting evidence submitted as part of the application and the responses to the application from statutory consultees. The Councils own assessment of the site concluded that it was a sustainable development opportunity suitable for allocation in the submission draft of the Local Plan and the decision to approve development on land to the north confirms the suitability of the site.</p> <p>In addition to this it should be noted that the analysis of the site carried out for the Neighbourhood plan addresses the whole LP allocation and not just the application site. When applying it purely to the application site it generates very different results e.g a number of the important trees referred to lie outside the application site and the issues raised regarding wildlife and footpaths would all receive a different conclusion as a result of the details</p>
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<p>Developer Contributions: s106</p> <p>Highways:</p> <p>To comply with Government guidance in NPPF the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:</p> <ul style="list-style-type: none"> • Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack). • 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £360.00 per pass). • New/Improvements to 1 nearest bus stops (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At £3263.00 per stop. • Information display cases at 1 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120.00 per display. • Bus shelters at 2 nearest bus stops; to provide high quality and attractive public transport facilities to encourage modal shift. At £4908 per shelter. • A contribution of £30,000 towards a scheme to reduce vehicle speeds and improve pedestrian crossing facilities on the A607 within the vicinity of Waltham on the Wolds Primary School. <p>Waste - The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of £4960 (to the nearest pound).</p> <p>The contribution is required in light of the proposed development and was determined by assessing which Civic Amenity Site the residents of the new development are likely to use and the likely demand and pressure a development of this scale and size will have on the existing local Civic Amenity facilities. The increased need would not exist but for the proposed development. The</p>	<p>submitted with the application.</p> <p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p> <p>It is considered that the transport contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement and comply with CIL Reg. 122.</p> <p>It is considered that the Civic Amenity and Library contributions are justified and necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contributions are to be used for the purpose of providing the additional capacity at the nearest Civic Amenity Site and Library(Melton Mowbray) to the proposed development.</p> <p>The request for improvements to the civic amenity site and libraries have been allocated to specific projects that will increase capacity at the</p>
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<p>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.</p> <p>The developer contribution would be used on project reference at the Melton Civic Amenity Site. Project MEL010 will increase the capacity of the Civic Amenity Site at Melton by:-</p> <ul style="list-style-type: none"> • Mobile plant compaction attachment to compact waste stored in open topped containers to increase the sites capacity. <p>There are two other known obligations from other approved developments, since April 2010, that affect the Melton Civic Amenity Site which may also be used to fund project MEL010.</p> <p>Libraries –The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area.</p> <p>The proposed development on Melton Rd, Waltham on the Wolds is within 7km of Melton Mowbray Library on Wilton Rd being the nearest local library facility which would serve the development site. The library facilities contribution would be £1,810 (rounded to the nearest £10).</p> <p>It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for audio visual materials i.e. dvd’s, talking books, etc. to account for additional use from the proposed development. It will be placed under project no. MEL004. There are currently four other obligations under MEL004 that have been submitted for approval.</p> <p>Education – The LEA have advised that the primary school is capable of expansion to accommodate the additional demand created by the development but the works involved, and there exact cost, would be dependent upon the total number of houses approved.</p> <p>Similarly, whilst capacity exists in the secondary sector at present for 58 houses, this would not cater for all developments and contributions would be required if thus figure was exceeded.</p> <p>SEE ITEM 3 OF THIS AGENDA FOR FULL DETAILS.</p> <p>NHS Contributions The above development is proposing 60 dwellings which, based on the average of 2.4 people per dwelling for the Melton Borough Council area, would result in an increase in patient population of</p>	<p>facilities commensurate to the scale of this development, There are not 5 other contributions for these projects and it is therefore considered appropriate for inclusion in a S106 agreement.</p> <p>It is considered that the waste and library contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement and comply with CIL Reg. 122.</p> <p>The method of calculating Section 106 education contributions is based on the net capacity of the catchment school and the availability of places at any other primary school within a 2 mile available walking route of the development.</p> <p>It is considered that the education contribution relates appropriately to the development in terms of its nature and scale, and as such is an appropriate matter for an agreement and complies with CIL Reg. 122.</p>
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144.

The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.

Consulting room GP

Proposed population	144
Access rate	5260 per 1000 patients
Anticipated annual contacts	$0.144 \times 5260 = 757$
Assume 100% patient use of room	757
Assume surgery open 50 weeks per year	$757/50 = 15.1$
Appointment duration	15 mins
Patient appointment time per week	$15.1 \times 15/60 = 3.8$ hrs per week

Treatment room Practice Nurse

Proposed population	144
Access rate	5260 per 1000 patients
Anticipated annual contacts	$0.144 \times 5260 = 757$
Assume 100% patient use of room	$757 \times 20\% = 151.5$
Assume surgery open 50 weeks per year	$151.5/50 = 3.03$
Appointment duration	20 mins
Patient appointment time per week	$3.03 \times 20/60 = 1.0$ hrs per week

Therefore an increase in population of 144 in the Melton Borough Council area will place extra pressure on existing provisions, for example- extra appointments requires additional consulting hours (as demonstrated in the calculations above.) This in turn impacts on premises, with extra consulting/treatment room requirements.

Furthermore, although this development proposal is for 60 dwellings, 2 other developments have been submitted for Waltham on the Wolds totalling another 144 dwellings. If a further 144 houses are built, this would result in an increase in population of 346, requiring an additional 9.1 hours of GP patient time and 2.4 hours of practice nurse treatment time per week on top of the figures quoted in the table above.

Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged

to take on patients, regardless of capacity. As such, although The Welby Practice (which has a branch surgery at Waltham on the Wolds) is the most likely to be affected by the new development, The Stackyard Surgery may also be affected.

This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.

Of the practices covering the development in Waltham on the Wolds, The Welby Practice and The Stackyard Surgery currently have 10 patients per square meter and 7 patients per square meter retrospectively, and the growth in area population as a result of this development would increase these figures. Experience has shown that as practices approach the 15 patients per square meter threshold they typically experience difficulties around their premises and clinical resources.

To mitigate this, the s106 funding would go towards The Welby Practice's branch surgery at Waltham on the Wolds, where they require funding to upgrade the existing clinical rooms and redevelop a kitchen area into a clinical space in order to cope with the increase in patient demand. The site also requires work in order to make it more accessible under Disability Discrimination Act guidelines (e.g. - low threshold doors and a disabled car parking space). As The Welby Practice is a dispensing practice, in order to cope with the additional demand the population increase would result in, they would need to upgrade their dispensaries. To do this, the practice has proposed developing their Waltham on the Wolds branch into a dispensing hub for all of their sites, which would entail an internal reconfiguration of the building to increase its dispensary and storage capacity.

All of this would be subject to a full business case and approval by NHS England, with any proposed expenditure taking place when the s106 funds are released by the developer as per the agreement and within the agreed timescale for expenditure of the funds.

The table above shows the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the required area and furnishings, a total cost of £185 per patient is determined. **This figure is multiplied by 2.4 (the average number of persons per dwelling for Melton Borough Council) to provide a funding of £26,640.00.**

LCC Archaeology

No objection subject to conditions

The Leicestershire and Rutland Historic Environment Record (HER) notes that the site lies outside and to the south of the medieval and post-medieval historic settlement core of Waltham on the Wolds (HER ref. MLE9114). The field in question contains well preserved earthworks ('ridge and furrow') of the former open field system, with perhaps as many as three separate furlongs coinciding within the development area. Two probable headland ridges, define the northern and southern site boundaries. In the event that permission for the current scheme is granted, provision for the recording of these well preserved earthwork remains in advance of any development impact should be secured by condition.

It is highly likely that the current development area contains buried archaeological remains, which, given the absence of recent cultivation, will be well preserved and of at least local significance. The proposed scheme envisages comprehensive development of the application area, with a combination of housing, access roads, and landscaping (notably the two attenuation ponds) likely to truncate or remove the surviving archaeological remains.

In accordance with National Planning Policy Framework (NPPF), paragraph 129, 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 141, 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, commencing with an initial topographic survey of the ridge and furrow earthworks, followed by a stage of exploratory trial trenching to inform the scope and character of the necessary archaeological excavation. The latter will target those archaeological remains likely to be affected by the development scheme.

If planning permission is granted the applicant must obtain a written scheme of Investigation (WSI) for each of the above phases of archaeological investigation. The WSIs must be prepared on behalf of the developer by an appropriately experienced organisation acceptable to the planning authority and must be submitted to

It is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, commencing with an initial topographic survey of the ridge and furrow earthworks, followed by a stage of exploratory trial trenching to inform the scope and character of the necessary archaeological excavation. The latter will target those archaeological remains likely to be affected by the development scheme.

<p>the planning authority and HNET, as archaeological advisors to your authority, for approval before their implementation. They should comply with the relevant Chartered Institute for Archaeologists “Standards” and “Code of Practice”. They should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.</p>	
<p>Police and Crime Prevention No objection based upon the Secured By Design (SBD) criteria and NPPF paragraph 58. The key comment is that parking should be close to dwellings and surveillance of these areas should be possible from ‘active’ (living) rooms within houses. Recommend that these homes are built to the highest levels of security and that Secured by Design should be considered.</p>	<p>Noted. The application seeks outline consent and the layout is not yet developed.</p>
<p>MBC Environmental Health No objection subject to conditions. The public health issues for this site are noise, contaminated land and to a lesser extent odour. No objection subject to satisfactory mitigation/remediation schemes at the reserved matters stage.</p>	<p>A noise and a phase 1 contaminated land report have been submitted with the application. The reports recommend various mitigation measures. The application is in outline and it is considered that conditions can be imposed to mitigate against potential adverse noise and contamination.</p>

Representations:

Site notices were posted and neighbouring properties consulted. As a result **46 letters of objection have been received;** the representations are detailed below:

Representations	Assessment of Head of Regulatory Services
<p>Impact upon the Character of the Area</p> <p>This latest proposal appears to be the second phase of a large housing estate of 105 dwellings. This is out of scale and out of character with the conservation village of Waltham on the Wolds.</p> <p>Overdevelopment of the site which is out of keeping with the style and pattern of Waltham as a village. The development would not contribute to the sense of place and reflect the identity of local surroundings</p> <p>Being contrary to the conservation status of the village. Much effort has gone in over the years to preserve this quality and status. This is inconsistent with the emerging trend embodied in the current planning applications to increase significantly the size of the village, establishing large pockets of new houses on the fringes of the village, towards a dormitory status.</p> <p>This application (when combined with the existing adjacent planning permission) would create a large housing estate on the edge of an historic village. This could result in new residents</p>	<p>An illustrative layout has been developed by the agent following consideration of the constraints and opportunities identified in the accompanying technical reports.</p> <p>This makes provision for adequate parking and public open space in accordance with the Council’s standards to achieve a well-designed development meeting the needs of future occupiers. Perimeter hedgerows and planting are retained/improved where possible to ensure the site is well screened.</p> <p>Waltham as a whole displays housing of varying character including more modern layouts in parts. This site is some distance and separated from the historic core and Conservation Area and would also be viewed and experienced separately from its surroundings so as to avoid creating a stark contrast, or visually conflict; a clear appreciation of its character would only be obtained if entering the development itself.</p> <p>For similar reasons, the scale of the development would not be readily apparent to</p>

<p>feeling cut off from the centre of the village.</p> <p>Correspondence has also been received from Marrons Planning who are the agents for another site currently under consideration in Waltham. They have queried why Historic England have not commented on the application.</p>	<p>users of Melton Rd and visitors to other parts of Waltham and it is not considered that it would overwhelm the village or affect those parts of it that display strong and valuable character.</p> <p>There are views of the site from public vantage points provided by footpaths. However these similarly do not offer views of the site in the context, or against, of the historic core of the village and are considered acceptable.</p> <p>The development achieves a net housing density of 28 dwellings per hectare. This density generally reflects that of the adjacent residential area and is considered to be appropriate to the edge of setting location.</p> <p>Historic England were not consulted on the application as the site lies some distance from the historic core and Conservation Area. It therefore did not fall within the criteria for either consultation or notification of Historic England. The impact on the character and appearance of the area has been considered in the report and as stated by Historic England when they responded to the Melton Local Plan pre-submission draft, great care will be required to manage any potential impact upon the character of the Conservation Area through design, layout and detailing (at the Reserved matters stage).</p>
<p>Impact upon Highway Safety: Increase of traffic movements and turning of traffic on the A607 that is already used by high volumes of traffic resulting in the increased risk of accidents and detrimental to road safety, and noise pollution caused by traffic.</p> <p>Melton Road is already an extremely busy road where drivers regularly abuse the speed limit. There is an urgent need for traffic calming on the Melton Road, not an increase of traffic that the new development will bring.</p> <p>The A607 often has diverted traffic from the A1. Currently there is a diversion every night between 8pm and 6am. Making the road very noisy, and traffic traveling a dangerous speeds.</p> <p>I live by the central safety crossing island and have witnessed a large number of accidents. On 2 occasions cars have careered off the road into my neighbours garden, there was once a pile up of approximately 5 motor vehicles and a Lorry that collided with the telegraph pole, knocking it across the road closing the road for most of the day. There have been a large number of incidents when drivers have hit the central safety island and repairs have had to be made.</p>	<p>There is good visibility for vehicles travelling north to observe those turning right on Melton Rd into the site if they are stationery, and no reason to expect the development will lead to greater occurrence of the accidents described.</p> <p>The transport statement submitted confirms that the existing road network is capable of accommodating the increase in traffic movements associated with the proposed development. The Highway Authority have no objections to the proposal on Highway safety grounds.</p>

<p>The additional residents will bring further congestion to the High Street to access the post office and shop.</p> <p>Traffic is a major concern in the village, both to road users and pedestrians alike, and there have been many near misses in recent years. The High Street, presents particular challenges, with many local residents and farm vehicles already struggling to negotiate this heavily congested street. The additional number of vehicles travelling through the villages roads which would be created by the new development, at times when children are walking to and from School or the School bus, is of great concern.</p> <p>Waltham was built for a much smaller population than now being proposed, at a time when vehicle ownership was far lower than today. The result is that the village roads and lanes are conspicuously congested with cars, both parked and moving. This is already a hazard to Waltham's young and old.</p> <p>Correspondence has also been received from Marrons Planning who are the agents for another site currently under consideration in Waltham. They have stated that the Transport Statement submitted doesn't examine traffic impacts in future years and that this is a standard requirement of transport assessments that should have been included.</p>	<p>In response to this both the Highway Authority and the Agent have stated that the development was examined in accordance with Guidance on Transport Assessment as required by Leicestershire County Council. This document says that a Transport Assessment is required for residential proposals in excess of 80 dwellings, but that a briefer Transport Statement is appropriate for "development that has relatively small transport implications", which is a residential proposal of between 50 and 80 dwellings. This application is for 60 dwellings and therefore the methodology for a Transport Assessment is not relevant.</p> <p>The Transport Statement submitted determines that in the worst case evening peak hour the development will generate 44 traffic movements. From a count on Melton Road traffic runs roughly evenly in both directions and so the development traffic will split evenly at the access, meaning a peak hour increase of 22 vehicles on Melton Road either side of the access. At the time the County Highway Authority received and considered the application and transport evidence, and given the likely trip generation from the proposals, it was not necessary to consider a capacity analysis. As an industry general rule of thumb, a threshold of 30 trips is considered the level at which there could be impact, although an impact could materialise even below these levels if there are underlying capacity issues. In this case there were no underlying capacity concerns and the development proposals would not generate sufficient new trips to create</p>
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	capacity concerns once they disperse from the site.
<p>Drainage Insufficient drainage, especially after Fair Field estate was developed.</p> <p>The sewerage system is already a problem on Melton Road near the school after heavy rain.</p> <p>The mains water pressure frequently drops now, what effect will another 60 houses, (plus 60 already having planning permission) have on the supply? What upgrades on the sewerage system will there be to cope with more occupants, as the present system seems to be struggling.</p> <p>Although water balancing areas are proposed, the ridge and furrow field usually has standing water throughout the winter months and has flooded a neighbours property</p> <p>There are serious concerns about the water supply in Waltham on the Wolds, and have been for some time. I reside close to the reservoir / water tower in Waltham on the Wolds, and have first-hand knowledge of water tankers arriving to “top up” the reservoir. On one notable occasion a few months ago no fewer than eleven tankers arrived over a 12 hour period – which to me indicates a problem. Residents continually complain about low, or fluctuating, water pressure – which again suggests a problem.</p> <p>There are also serious concerns and there have been repeated complaints regarding obnoxious odours in the vicinity of High Street during the summer months. The system in the village last had a major overhaul around 40 years ago, and since then a number of new properties have been built – putting additional strain on an already parlous system.</p> <p>If the village was allowed to develop on the scale being proposed it would cause untold water supply and drainage problems.</p>	<p>The application is accompanied by a Flood Risk Assessment and drainage strategy that recognise that infiltration (soakaways) would not be suitable as the primary means of disposal of surface water runoff from the proposed development and disposal into the existing drainage system would need to be managed and controlled. It therefore proposes a drainage strategy which comprises of retention ponds on the site that would be of sufficient size (calculated, with 40% allowance for climate change) which would only be released when capacity was available.</p> <p>A new connection into the existing Severn Trent Water combined sewer in Melton Road is proposed. It is considered that the topography of the site should allow for the foul drainage to drain via gravity without the need for pumping. A sewer capacity assessment is being undertaken to understand the impact the proposed development will have on the existing sewerage infrastructure and any risks can be identified and mitigated.</p> <p>All means of flood risk at the site have therefore been assessed and it has been demonstrated that the site is not at risk of flooding, nor would it pose a risk to adjacent land following development subject to the recommendations in the reports being adhered to.</p> <p>Severn Trent and the Lead Local Flood Authority have been consulted and raise no objections to the proposal. This can be conditioned and form part of the reserved matters application to ensure the designs will be effective.</p>
<p>Impact upon Environment Environmental impact of another housing development on loss of green fields & wildlife habitats.</p> <p>The site is on ridge and furrow land</p>	<p>The Ecology surveys submitted with the proposal have identified the presence of protected species and these have been addressed by mitigation schemes. The Ecology report has been independently assessed and raises no objection from the County Council Ecologist, subject to mitigation as proposed.</p> <p>LCC Archaeology have been consulted and recommends that provision for the recording of these well preserved earthwork remains in advance of any development impact should be secured by condition.</p>
Schooling	

<p>With the other housing development already approved in Waltham, this (and other applications submitted) would increase pupil numbers well beyond the practical and on-paper capacity of Waltham-on-the-Wolds CE Primary School.</p> <p>As a small rural school there are areas of the site and buildings that would require development if the numbers on roll were to increase above the schools capacity, in order to maintain the high quality teaching and learning that currently exists.</p>	<p>The planning application for consideration will contribute towards the school to enable further school places for the new residents. The site falls within the catchment area of Waltham on the Wolds C of E Primary School. The LEA advise that the School can be expanded to meet the demands created by the development. Please also note the content of Item 3 of this agenda regarding this subject.</p>
<p>Infrastructure</p> <p>The current infrastructure cannot sustain an increase in population. The school and Dr's Surgery will not cope.</p> <p>There are not sufficient facilities for so many people as could live here in the possible developments.</p> <p>There is only one public house, one small shop and a post office.</p> <p>Such an application is over development which is unnecessary and will result in excessive strain on village resources, traffic congestion and damage the rural character of the village.</p> <p>Very little consideration is being given to looking at the big picture, and the totality of the detrimental impact on our village if all this over development is given permission to go ahead. Waltham is a small, picturesque village located in a conservation area with very limited local amenities, and an infrastructure that is only just managing, yet will be at breaking point if these developments go ahead. The village simply cannot cope with the level of development that is being sought.</p>	<p>Waltham has a range of facilities which it is considered renders it a sustainable location for residential development. This has been reflected in recent decision making.</p> <p>The research undertaken for the Pre Submission version of the Local Plan identifies Waltham on the Wolds in its settlement hierarchy as a 'Service Centre' which offers a range of services. Service Centres are second in the 'hierarchy' to Melton Mowbray.</p> <p>No evidence has been provided to demonstrate that facilities could not accommodate the additional demand arising from the proposal and, in the case of the Primary School. It is indicated by the LEA that it is capable of expansion of its capacity. Other services, such as the shop, pub etc can only stand to benefit from greater potential patronage arising from the proposals.</p>
<p>Planning Policy</p> <p>This application is unwelcome development in a small village which already has building approvals or completed homes to meet the required housing needs of the pending Melton Plan.</p> <p>The number of dwellings proposed for Waltham is far in excess of the quantity indicated in the final draft of the Melton Local plan.</p> <p>The local need for these houses must be questioned.</p> <p>We feel that the development is unnecessary as there has already been planning granted for 45 houses in this field on Melton Road and also planning permission given for a development on the High Street.</p>	<p>The Draft Local Plan Emerging Options set out a minimum of 100 dwellings to be built in Waltham on the Wolds during the plan period, this development would aid the achievement of the minimum development target set out. However the Local Plan (including the apportionment it suggests for Waltham) is still in development and cannot be taken as adopted policy at present (see additional details below).</p>

<p>Waltham has an existing establishment of some 450 homes. Acknowledging the county's requirement for extra capacity, a need for a further 90 or so houses has been identified, an increase of 20%. This is being incorporated into the Local Plan. Planning permission has already been given to all but 20 houses of this requirement. There are four further applications currently under consideration, 16/00793, 16/00847, 16/00971 and 17/00080 totalling an additional 328 homes making a grand total of 399 homes. This is far in excess of what has been identified and targeted, by almost 50% of the existing village size.</p> <p>If approved, this proposal would exceed the requirement in the Pre-submission Local Plan by 40 dwellings - doubt that this number of houses are needed now given that the HEDNA report declared that a reduction of 2000 houses would now be acceptable for this Borough.</p>	
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A Further 3 letters have been received in support of the proposal stating the following reasons: -

<p>This development is well placed for access. Access directly on to the A607 has got to be preferable to access to or leading onto, the already at times congested and narrow, High Street.</p> <p>Waltham has a requirement through the draft plan to allow developments and this application allows new areas of public open space, landscaping, access and drainage infrastructure.</p> <p>Of all the sites proposed within the village, this one to me makes most sense.</p>	<p>Noted.</p>
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Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
<p>Neighbourhood Plan</p> <p>The Waltham Neighbourhood Plan is still in development and recently completed its 'Reg 16' consultation exercise. The parish council and currently deciding whether to proceed to Examination and, subsequently, Referendum.</p> <p>POLICY S1: Limits to Development states that:</p> <p><i>Development proposals within the Neighbourhood Plan area will be supported on sites within the Limits to Development as identified in Figures 3 and 4 (overleaf) where they comply with the policies of this Neighbourhood Plan and subject to design and amenity considerations. Land outside the defined Limits to Development will be treated as open</i></p>	<p>National Planning Policy Guidance states that :</p> <p><i>a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and</i></p> <p><i>b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area."</i></p> <p>It goes on to advise that " <i>Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period</i>"</p>

<p><i>countryside, where development will be carefully controlled in line with local and national strategic planning policies.</i></p> <p>POLICY H1: Housing Provision <i>Having regard to the number of dwellings already constructed plus existing sites with planning permission and allowing for allocated draft Local Plan sites within the Limits to Development, the Parish has exceeded its housing requirement over the Plan period. Therefore, until such a time as there is an increase in housing need across Melton Borough or unless there is a failure to deliver the existing commitments, further housing development in the Parish will be restricted to Windfall development in line with Policy H8.</i></p> <p>The site has been identified as being of Environmental Significance and is the subject of Policy ENV4 which states: <i>23 sites in the Parish (see map on Figure 10 and environment inventory in Appendix E) have been identified as being of local significance for wildlife (biodiversity) and/or history. They are important in their own right and are locally valued. The protection and enhancement of the identified significant features will be supported</i></p> <p>Policy ENV11: Ridge and Furrow Fields is also applicable: <i>The areas of well-preserved ridge and furrow earthworks (see Figure 14) are non- designated heritage assets, and any harm arising from a development proposal, or a change of land use requiring planning approval, will need to be balanced against their significance as heritage assets.</i></p> <p>Policy ENV13: Footpaths and Bridleways states: <i>Development proposals that result in the loss of, or have a significant adverse effect on, the existing network of footpaths (see Figure 17) will not be supported without appropriate mitigation’.</i></p>	<p>Where refusal of planning applications are made on the grounds of prematurity the authority needs to indicate clearly how planning permission would prejudice the outcome of the plan-making process.</p> <p>It is considered that the NP is not in the position to which the National Guidance advises ‘prematurity’ concerns can be applied, and therefore not considered that a refusal could be reasoned on the grounds of prematurity in light of the above factors.</p> <p>However the Neighbourhood Plan is a material consideration that should be taken account in determining the application, alongside all others. It is considered that its weight should be ‘limited’. PLEASE SEE ITEM 3 OF THIS AGENDA FOR GREATER DETAIL.</p> <p>The application appears to be in accordance with Policies S1 and ENV3 of the neighbourhood Plan by virtue of being located entirely within the Limits to Development and making adequate provision for footpaths that cross it. However it appears to be in conflict with Policies H1 and ENV4 opposite.</p> <p>Accordance and conflict with the Neighbourhood Plan are factors that are considered to weigh for and against the granting of permission respectively and in this case it is considered that the interaction of both presents a neutral position.</p>
<p>Housing type</p> <p>The configuration and Housing mix provided</p>	<p>Housing Mix: Although in outline, the application proposes a range of house types and sizes. These are considered to reflect identified needs.</p> <p>Affordable Housing The application proposes 22 affordable units, details of which would follow at reserved matters stage.</p> <p>This equates to 37% which is the percentage identified by the most up to date evidence (the 2016 Housing Needs Study)</p>

<p>Impact on Residential Amenities</p>	<p>The application is in outline with the layout illustrative. The site is sufficient to allow development with normally expected levels of separation and boundary treatment where necessary. Similarly, the house positions illustrated are not 'fixed' and would be assessed for privacy impacts at reserved matters stage.</p>
<p>Application of Planning Policy</p>	<p>Waltham is considered to perform well in sustainability terms owing to its community facilities and transport links. Recent decisions made by the Council and on appeal by the Secretary of State have described it as a sustainable location for housing for these reasons and there have been no material changes to this position in the interim. It is therefore considered that it could be impossible to refuse the application on the basis of the sustainability of the location.</p> <p>However, sustainability also takes into account economic and environmental factors and it is recognised that the site is 'greenfield' without a presumption for development. This is considered to weigh against the proposal. However, the land is not identified by any study or policy as important to the setting of Waltham nor is it designated as important countryside, for example through National Park, AONB or any other landscape designation giving it 'special' status. Accordingly it does not meet the types of location that the NPPF requires to be protected and accordingly only limited weight can be afforded to this aspect.</p> <p>5 year land supply issues:</p> <p>The application is required to be considered against the Local Plan and other material considerations. The NPPF is a material consideration of some significance because of its commitment to boost housing growth.</p> <p>The NPPF advises that local housing policies will be considered out of date where the Council cannot demonstrate a 5 year land supply and where proposals promote sustainable development objectives it should be supported.</p> <p>The Council's most recent analysis shows that there is the provision if a 5 year land supply and as such the relevant housing policies are applicable.</p> <p>However, the 1999 Melton Local Plan is considered to be out of date and as such, under para. 215 of the NPPF can only be given limited weight.</p> <p>This means that the application must be considered under the 'presumption in favour</p>

	<p>of sustainable development’ as set out in para 14 which requires harm to be balanced against benefits and refusal only where “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.</p> <p>Furthermore, a recent appeal decision (APP/Y2430/W/16/3154683) in Harby made clear that ‘a supply of 5 years (or more) should not be regarded as maximum.’ Therefore any development for housing must be taken as a whole with an assessment of other factors such as access, landscape and other factors...”</p>
<p>The (new) Melton Local Plan – Pre submission version.</p> <p>The Pre Submission (including ‘Focussed Changes’) version of the Local Plan was submitted to the Secretary of State for Examination on 4th October 2017.</p> <p>The NPPF advises that: From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> ● the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); ● the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and ● the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). <p>The Local Plan identifies Waltham as a ‘service centre’ and allocates this site for residential development as part of the allocation ‘WAL2’</p>	<p>Whilst the Local Plan has progressed by advancing to Pre-submission stage, it remains in preparation and as such can be afforded only limited weight. (PLEASE SEE ITEM 3 OF THIS AGENDA FOR GREATER DETAIL).</p> <p>We therefore need to consider the application in accordance with paragraph 215 of the NPPF which states due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).</p> <p>It is therefore considered that it can attract weight but this is limited at this stage.</p> <p>The site is identified for housing purposes in the Emerging Local Plan.</p> <p>The accordance with the Local Plan is a factor that is considered weighs in favour of the granting of permission.</p>
<p>Noise</p>	<p>A noise assessment has been undertaken to examine the impact of Fairfield Industrial Estate and road traffic noise on the proposed development. In relation to the Industrial Park, the assessment concludes that an adverse impact could occasionally occur. The report recommends mitigation measures for those properties along the eastern boundary in the form of screening and enhanced glazing and ventilation. The impact of road traffic noise on the proposed development is considered to be negligible. The application is in outline and it is considered that a condition can be imposed to mitigate against potential adverse</p>

Conclusion

It is considered that the application presents a balance of competing objectives and the Committee is invited to reconcile these in reaching its conclusion.

The Borough is deficient in terms of housing supply more generally and this would be partly addressed by the application, Affordable housing provision remains one of the Council's key priorities. This application presents some affordable housing that helps to meet identified local needs.

Waltham is considered to be a sustainable location for housing having access to various facilities, primary education, local shops, and a regular bus services and limited distances to employment opportunities and this has been established in previous decisions.

It is considered that balanced against the positive elements are the site specific concerns raised in representations, particularly the development of the site from its green field state and impact on the character of the village and highway safety.

The Local Highway Authority do not consider that the proposal would lead to severe harm to highway safety. In terms of character of the area, the submitted application is in outline stage only and the applicant has undertaken a detailed appraisal of the character of the settlement including a landscape assessment. The site is not covered by any specific designation however the proximity to the Conservation Area to the north is noted.

Full details of appearance, layout and scale will be a matter for subsequent reserved matters applications where matters of design and impact can be fully assessed.

Contributions to provide additional capacity at the nearest Civic Amenity site and library are of a tariffed style request that will be 'pooled' under CIL Regulation 123 (3) whereby no more than five contributions can be pooled for any single infrastructure project. As stated above the request for improvements to the civic amenity site and library has been allocated to a specific projects that will increase the capacity at the site.

The education contribution would be used for the provision, improvement, remodelling or enhancement of education facilities at schools in the locality of the development which the residents of the development would usually be expected to attend at both Primary and Secondary level (if applicable). They are therefore all considered appropriate for inclusion in a Section 106 agreement.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from this proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issue is considered to be development of a greenfield site.

The issue of development a greenfield site is considered to be of limited harm, bearing in mind its location and the absence of any identification that it is of particular landscape value, and conflict with Local and Neighbourhood Plans have limited weight as a consequence of their state of advancement and circumstances surrounding them.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits; it is considered that permission can be granted.

Recommendation: PERMIT, subject to:-

- (a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:
 - (i) Contribution for the improvement to civic amenity sites at £3,720
 - (ii) Contribution to sustainable transport options
 - (iii) Contribution towards a crossing near the Waltham school
 - (iv) Contribution for education at primary and secondary level (see item 3 of this agenda)
 - (v) Contribution for the health service capacity as set out above.
 - (vi) 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

(NB with regard to (iii) above, the contribution is dependant upon the results of the feasibility work being carried out by the Local Education Authority (see item 3 of this agenda) and the outcomes of other applications. Any decision should be subject to the result of this work and the agreement of the applicant to the contribution that arises as a result).

Recommendation: PERMIT, subject to:-

- (a) **The completion of an agreement under s 106 for the quantities set out in the above report to secure:**
- (i) Contribution for the improvement to civic amenity sites.
 - (ii) Contribution for the improvement to libraries.
 - (iii) Contribution to the local Primary School (see note below)
 - (iv) Contribution to the local surgeries.
 - (v) Contribution to sustainable transport options
 - (vi) Contribution to maintenance of open space
 - (vii) 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

(NB with regard to (iii) above, the contribution is dependant upon the results of the feasibility work carried out by the Local Education Authority (see item 3 of this agenda).. Any decision should be subject to the result of this work and the agreement of the applicant to the contribution that arises as a result .

(b) The following conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site until approval of the details of the "external appearance of the building(s) and landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
3. The reserved matters as required by condition 2 above, shall provide for a mixed of types and sizes of dwellings that will meet the area's local market housing need.
4. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. 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.
6. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.
7. 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.
8. 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.

9. No dwellings shall be occupied before the surface water drainage scheme to support them, the details of which have been approved in accordance with conditions 7 and 8 of this permission, has been installed.
10. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.
11. A detailed ground investigation and permeability testing shall be provided as part of the first Reserved Matters application. The information shall be approved by the Local planning authority prior to or as part of any determination on the layout or detailed drainage design to ensure that the possibility of infiltration drainage has been thoroughly assessed.
12. The development shall be carried out in accordance with the measures set out in the mitigation plan for protection of Great Crested Newts and Bats (FPCR Sept 2016 Section 4) submitted as part of the application.
13. No development shall take place until a scheme for treatment of the Public Footpath has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Such a scheme shall include provision for surfacing, width, structures, signing, landscaping and safeguarding.
14. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.
15. Notwithstanding the details submitted, all details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing, signing, lining and visibility splays and be submitted for approval by the local Planning Authority before development commences.

(Note: Your attention is drawn to the requirement contained in the Highway Authority's current design guide to provide Traffic Calming measures within the new development).

16. Prior to the submission of Reserved Matters details a Programme of Archaeological Mitigation (to be informed by the submitted Heritage Statement and Geophysical survey (Stratascan 2015 ref.J8318)), and to include detailed Written Schemes of Investigation for topographic survey, trial trenching and targeted area excavation) shall be submitted to and approved by the Local Planning Authority in writing. The Programme shall include a statement of significance and research objectives, and:
 - The timetable and methodology of site investigation, recording, a detailed environmental sampling strategy and consideration of appropriate analytical methods to be utilised;
 - Provision for public outreach and dissemination (to include provision for public site visits, school visits, information signage (e.g. on site boundaries, public access routes, etc.) internet/social media dissemination, public lectures, etc.);
 - The programme for post-investigation assessment and subsequent analysis;
 - Provision for publication, dissemination and deposition of resulting material in an appropriate archive repository; and
 - Nomination of competent person(s) or organisation(s) to undertake the agreed work.

For land and/or structures included within the Programme, no demolition, development or related ground disturbance shall take place other than in accordance its provisions.

17. The programme of archaeological site investigation, subsequent analysis, publication, dissemination and deposition of resulting material in an appropriate archive repository shall be completed within 12

months of the start of development works, or in full accordance with the methodology and timetable detailed within the approved WSI.

18. No development shall take place until a scheme for protecting the occupants of the proposed development from noise from /associated with the Fairfield's Industrial Estate and the A607 Melton Road has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of the development and shall thereafter be retained.
19. In order to minimise noise disturbance to the occupiers of adjacent residential property, construction work, demolition work and deliveries to the site should only be permitted between the following hours. Any deviation from this requirement shall be with the prior approval of the Environmental Health department of Melton Borough Council.

07:00 – 19:00 Monday to Friday

08:00 – 13:00 Saturdays

No works to be undertaken on Sundays or bank holidays

20. No development shall take place until a phase 1 / desktop study investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site and to identify and control any unacceptable risks to human health or the environment taking into account the sites actual or intended use, whether or not the contamination originates on the site. The phase 1 / desk top study shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced.

The investigation and risk assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and must be undertaken by competent persons and a written report of the findings must be produced and submitted to the Local Planning Authority. The written report is subject to the approval in writing of the Local Planning Authority.

21. If during the development any contamination is identified that has not been considered previously, then other than to make the area safe or prevent environmental harm, no further work shall be carried out in the contaminated area until additional remediation proposals for this material have been submitted to the Local Planning Authority for written approval - this would normally involve an investigation and an appropriate level of risk assessment. Any approved proposals shall thereafter form part of the Remediation Method Statement.
22. In the event that it is proposed to import soil onto site in connection with the development the proposed soil shall be sampled at source such that a representative sample is obtained and analysed in a laboratory that is accredited under the MCERTS Chemical testing of Soil Scheme or another approved scheme. The results shall be submitted to the Planning Authority for consideration. Only the soil approved in writing by the Local Planning Authority shall be used on site.

Reasons:

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To ensure that the housing needs of the borough are met.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
5. To provide a reasonable period for the replacement of any planting.

6. To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public, nature conservation or historical significance.
7. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
8. 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 through the entire development construction phase.
9. To ensure the satisfactory disposal of surface water drainage from the site.
10. To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.
11. To demonstrate whether or not the site is suitable for use of infiltration as part of the drainage strategy and that the drainage strategy is compliant with the drainage hierarchy as outlined within Planning Practice Guidance Paragraph: 080 Reference ID: 7-080-20150323
12. To ensure protected species are adequately protected.
13. In the interests of amenity, safety and security of users of the Public Footpath.
14. In the interests of highway safety.
15. In the interest of highway safety.
16. To ensure satisfactory and proportionate archaeological investigation and recording of the significance of any heritage assets impacted upon by the development proposal prior to its loss, in accordance with local and national planning policy.
17. To make the archaeological evidence and any archive generated publically accessible, in accordance with local and national planning policy.
- 18 – 22. To ensure a satisfactory standard of residential amenity

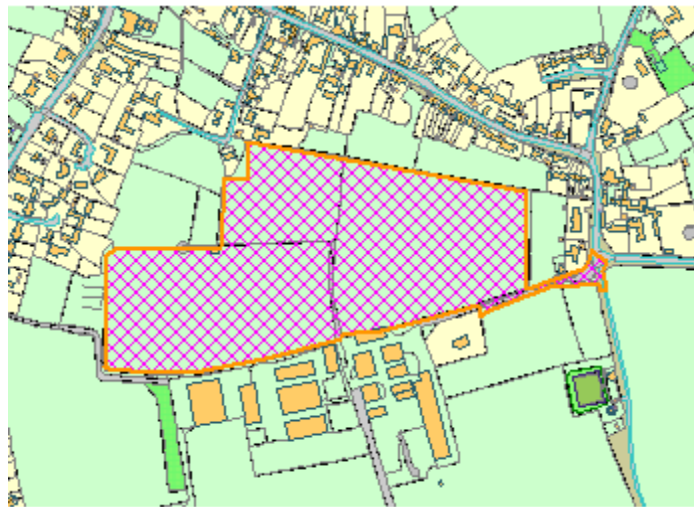
Officer to contact: **Mr Jim Worley**

Date: 5th October 2017

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COMMITTEE DATE: 17th October 2017

Reference: 16/00971/OUT
Date submitted: 23.12.2016
Applicant: Barwood Homes c/o Marrons Planning
Location: Field Nos 3080 3166 And 5875, Mill Lane, Waltham On The Wolds
Proposal: Erection of up to 124 dwellings with associated infrastructure and public open space
(all matters reserved except means of access)



The application is reported back to Committee following deferral on 29th June 2017 to consider the following issues:

1. Investigation Water supply and sewerage infrastructure issues
2. The contribution of section 106 funding required for additional school places
3. Consideration of the impact on health facilities
4. Consideration of the impacts on electricity supply

In response to these points please see the report 'Waltham On The Wolds 'Common Issues'(item 3 of this agenda).

Proposal :-

This application seeks **outline planning permission for up to 124 dwellings**. The total site area is 9.06ha, comprising three arable fields. Mature hedgerows of up to 3m in height dissect the site into three parcels. The southern boundary to the site is defined by a mature hedgerow that separates the site from Manor Farm and Fairfield Industrial Park. A public right of way cuts through the centre of the site, continuing south between the farm and industrial park. A public right of way also runs along the northern boundary, where a mature hedgerow separates the site from dwellings to the west, allotments to the east, and the Barwood Homes approved site for 26 dwellings (14/00777/FUL) to the centre of the boundary. To the eastern boundary, a small strip of land separates the site from existing residential development fronting the High Street. The western boundary abuts a parcel of land with planning permission for up to 45 dwellings (15/01011/OUT). The proposal seeks to utilise the existing vehicular access point to the south east of the site as the primary access to the site.

The application is accompanied by a Draft S106 addressing all of the known contribution requirements and which the developer explains is evidence of their intention for early delivery (though no delivery timetable is provided) . This is currently the subject of analysis by the parties concerned.

The site is considered to be greenfield site with no presumption in favour of development

The application is in outline with all matters reserved except means of access

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

- **Compliance or otherwise with the Development Plan and the NPPF**
- **Impact upon the character of the area**
- **Impact upon residential amenities**
- **Sustainable development**
- **Traffic and access issues**

The application is required to be presented to the Committee due to the level of public interest.

History:-

There is no history relevant to this site.

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 - does not allow for development outside the town and village envelopes shown on the proposals map **except** for development essential to the operational requirements of agriculture and forestry, and small scale development for employment, recreation and tourism.

Policy OS3: The Council will impose conditions on planning permissions or seek to enter into a legal agreement with an applicant under section 106 of the Town and Country Planning Act 1990 for the provision of infrastructure which is necessary to serve the proposed development.

Policy BE1 - allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

Policy H10: planning permission will not be granted for residential development unless adequate amenity space is provided within the site in accordance with standards contained in Appendix 5 (requires developments of 10 or more dwellings to incorporate public amenity space for passive recreation with 5% of the gross development site area set aside for this purpose).

Policy H11: planning permission will not be granted for residential development of 15 or more dwellings unless it makes provision for playing space in accordance with the Councils standards at Appendix 6 of this Local Plan (on developments of 50 or more dwellings, every dwelling must be within a 5 minutes walk (240m straight line distance) of a LEAP (Local Equipped Area for Play).

Policy C1: states that planning permission will not be granted for development which would result in the loss of the best and most versatile agricultural land, (Grades 1, 2 and 3a), unless the following criteria are met: there is an overriding need for the development; there are no suitable sites for the development within existing developed areas; the proposal is on land of the lowest practicable grade.

Policy C15: states that planning permission will not be granted for development which would have an adverse effect on the habitat of wildlife species protected by law unless no other site is suitable for the development Policy C16.

The National Planning Policy Framework introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are

out -of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Take account of the different roles and characters of different areas, promoting the vitality of urban areas, recognising the intrinsic character and beauty of the countryside and support thriving rural communities.

On Specific issues it advises:

Promoting sustainable transport

- Safe and suitable access to the site can be achieved for all people
- Development should be located and designed (where practical) to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- Consider the needs of people with disabilities by all modes of transport.

Delivering a Wide choice of High Quality Homes

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- LPA's should identify land for 5 years housing supply plus 5% (20% if there is a history of under delivery). In the absence of a 5 year supply housing policies should be considered to be out of date.
- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and enhancing the natural environment

- Encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value
- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be

approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority: <u>Site Access</u> The 5.5m wide site access would formalise the existing gravel farm track, re-align Gipsy Nook as a minor arm off the new access road and create a priority junction with High Street/ Waltham Road as per Pba Drawing No. 39276/5501/001. While the applicants have not stated the available visibility splays, the CHA accepts that the available visibility splays exceed the 2.4 x 43 metre stopping sight distance required for a 30mph road. The CHA therefore deems it acceptable to condition visibility splays of this length.</p> <p>A northern pedestrian/ cycle access to High Street is proposed through Melton Borough Council application 14/00777/FUL to the north of the application site. It is understood that the link through this site is fully under control of Barwood Homes. The applicants are also proposing to utilise the existing rights of way through the site. Footpath E99 which runs along the northern boundary of the site will link the site to Mill Lane and High Street (East). As per the advice provided by the PROW officer the CHA would require details of surface treatment for the two off-site sections of the footpath.</p> <p>As these footpath links improve the connectivity between the site and Waltham village centre, the CHA consider that at least one of the links should be provided prior to occupation of the first dwelling on site. Preferably, this should be the northern pedestrian/ cycle link to High Street (north).</p> <p><u>Off-Site Implications</u> The CHA has studied the submitted TRICS data and TEMPRO figures and consider these to be acceptable and similar to other recent applications for residential sites within the village. The applicant has identified the proposals would generate up to 88 two way trips in the AM peak and 78 two way trips in the PM peak. Trip distribution has also been undertaken using 2011 Census data. The applicant has identified the majority of traffic (92%) would use High Street and splits at the junction with the A607.</p> <p>The submitted Transport Assessment (TA) identifies 3 committed development sites within the village (MBC Ref 14/00136/OUT, 14/00777/FUL & 15/01011/OUT) which equate to 82 new dwellings. As TEMPRO identifies a growth of 109</p>	<p>Noted.</p> <p>The proposals seek to utilise the existing vehicular access point to the south east of the site as the primary access to the site. This will include junction improvements at the intersection with High Street/Stonseby Road and will involve the realignment of Gipsy Nook to form a priority junction with the site access road. A secondary emergency vehicular/pedestrian/cycle access point will be provided to the north of the site to connect with the recently approved development due north of the site.</p> <p>Analysis of the operation of the access and junctions shows that both operate well within capacity during weekday AM peak (8am-9am) and PM (5pm-6pm) hours and will continue to do so.</p> <p>Para 32 of the NPPF advises that developments should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are ‘severe’.</p> <p>The Transport Assessment submitted demonstrates the significant potential for sustainable travel to and from the proposed development, and that the proposed access is appropriate and safe. It also demonstrates that the development is not expected to have any severe implications on the local highway network.</p>

households between 2016 and 2021 within the area, it is accepted that these have been included within the growth factors and form part of the base 2021 traffic flows. No other developments were included within the TA, however a TA addendum dated 28th February 2017 was submitted by the applicants to take into consideration some of the current live applications within the village, which have yet to be determined by the LPA. See 'Cumulative impact Assessment' below for further details.

Within the original TA, the impacts of the development along with the 2021 base traffic flows were assessed using Junctions 9 software (PICADY module) and considered the following junctions:

- Site access/ High Street/ Waltham Road/ Gipsy Nook
- A607 Melton Road North/ High Street/ A607 Melton Road South/ Goadby Road

Based on the assessments undertaken by the applicants, if this individual application was to be permitted by the LPA taking into account 2021 base + this development traffic alone, operation of the junctions would still be well within capacity at 2021, with little impact on queueing or delay. Results for the A607 junction assessment are also comparable with the Bescaby Lane application (16/00793/OUT), albeit with minimal increases in queueing and a reduction in capacity, which would be expected due to this application assessing an additional 74 dwellings than Bescaby Lane.

The 5 year Personal Injury Collisions (PIC) history between 2011 and 2016 has been studied for the highway network within the village. No PIC's have occurred within the vicinity of the site access, while 3 were recorded at the High Street/ A607 junction and 1 on High Street. All PIC's were recorded as 'slight'. Based on the recorded PICs, CHA could not justify any highway improvements on the grounds of road safety.

The applicants have offered to formalise parking arrangements along High Street as part of the development in the form of kerbed build outs, planters and variations in paving. The CHA does not currently have any plans to formalise parking along Main Street and considers any proposals would likely require Traffic Regulation Orders (TRO's) such as No Waiting At Any Time (double yellow lines) restrictions. TRO's would be difficult to enforce and could not be conditioned as part of this application, as they could receive objections during public consultation, resulting in the scheme not being implemented. Similarly build-outs could be met with objections and would create an extra maintenance burden on the CHA, along with planters and varying surface treatments. The CHA

therefore could not justify requesting the proposals put forward by the applicant, however the CHA is aware that vehicle speeds are in excess of the mandatory 20mph speed limit in force outside of the school and currently there is no school crossing patrol in operation. The CHA would be supportive of a contribution towards improving facilities within the vicinity of the school, as there would be an increase in vehicular and pedestrian traffic outside the school as a result of the development. The CHA has also been in discussion with the local community regarding transport issues outside the school over the last few years. Contributions have been advised by the CHA from other recent housing developments within the village as part of the S106 agreement.

Internal Layout

As the internal layout is not to be determined as part of this application, the residential road layout and parking arrangements have not been checked in detail. The road layouts shown on the submitted illustrative layout however would not conform to an adoptable standard.

It is noted that the site lies adjacent to the Fair Farm site for up to 60 dwellings (MBC application ref 16/00847/OUT). The CHA have noted that the applicants have indicated a potential future access in to the land covered by this application on Bhb Architects indicative site plan drawing. The CHA would consider a vehicular and pedestrian access between the two sites and strongly encourage the applicants to liaise with the applicants for the Fair Farm site in order to provide links between the two sites, should both be approved by the LPA. Should such a connection be provided, both developments would need to be designed to an adoptable standard.

Transport Sustainability

Waltham on the Wolds is considered to be a sustainable location in transport terms and supports a village shop, school, church, village hall, doctor's surgery and pub.

Bus service 56, which is an infrequent service running Monday – Saturday between Melton Grantham, runs along High Street past the pedestrian links to the site and is hail-and-ride. As part of development ref: 14/00777/FUL, the applicants are required to provide two new bus stops, including timetable cases, poles and flags in the vicinity of the site along High Street. Due to the service traditionally being hail-and ride, the proposed development being adjacent to the approved development, and the gradients of the footpaths along High Street in the direction of the A607 making it difficult to formalise additional stops, no further bus stop improvements are

required.

Bus service no. 8, which is an hourly service Monday – Saturday between Loughborough, Melton and Grantham, is within an 800m walk from the site.

A Framework Travel plan (TP) has been submitted with the application. The CHA is satisfied the TP meets the minimum requirements. The applicants will be required to register the development site and travel plan with www.starsfor.org and contribute a £6,000 STARSfor monitoring fee.

Other Observations

The following observations affect the highway network which in the view of the Local Highway Authority cannot be considered “severe” in accordance with Paragraph 32 of the NPPF, but which may impact on the amenity of the local community. The Local Planning Authority is advised to consider if these are material and the relative weight which that they can give in planning terms to these amenity issues in their decision making processes:

School Transport

The site falls within the catchment area of Waltham on the Wolds C of E Primary School. The school is operating close to capacity and the proposed development would generate a need for school places as set out elsewhere in the County Council’s education response. The school occupies a very constrained site with very limited potential to expand to provide the additional places required. If the school is to be expanded then any expansion proposed must also include a range of support spaces, in particular a school hall, the cost of providing the additional classrooms and support spaces will need to be met by developers through s106 agreements. Until such time as school places are available, pupils from the new housing may need to be transported to local schools with places the County Council would expect the developer to meet the transitional school transport costs through section 106 contributions.

The County Council would expect that developers would meet the costs of that additional school transport unless and until such time an acceptable means of accommodating those additional pupils at the local school can be provided, and if deemed necessary the cost of expanding the school also through section 106 contributions.

Cumulative Impact Assessment

Currently the following sites have been approved by the LPA and can be classed as committed

<p>development within Waltham:</p> <ul style="list-style-type: none"> • 14/00136/OUT: Land to the north of Hall Farm – 8 dwellings • 14/00777/FUL: Land behind 38-48 High Street – 29 dwellings(Allocated as WAL 1 within the LPA’s draft Local Plan) • 15/01011/OUT: Field 1357, Melton Road – 45 dwellings (Allocated as WAL 2 within the LPA’s draft Local Plan along with 16/00847/OUT below) <p>In addition to these developments, the following applications are currently live and awaiting determination by the LPA.</p> <ul style="list-style-type: none"> • 16/00793/OUT: Bescaby Lane – 45 dwellings (not allocated within the LPA’s Draft Local Plan) • 16/00847/OUT: Fair Farm, Melton Road – 60 dwellings (allocated as WAL 2 within the LPA’s Draft Local Plan with 15/01011/OUT above) • This application: 124 dwellings (allocated as reserve site WAL 3 within the LPA’s Draft Local Plan) • 17/00080/OUT: Land off Mere Road – 99 dwellings (not allocated within the LPA’s Draft Local Plan) <p>The applicants at their discretion have provided a TA Addendum to understand the potential cumulative impact on the local highway network should this planning application be approved alongside other live applications in Waltham (16/00847/OUT and 16/00793/OUT above). It should be noted however that the most recent residential application within the village (MBC ref 17/00080/OUT) for 99 dwellings has not been included within the assessment. As the application for 99 dwellings is not an allocated site, nor one which benefits from planning permission, the CHA does not consider that in light of the above guidance, cumulative assessment can reasonably be expected to include the site at this stage. However, the CHA would be willing to take further advice from the LPA on the likelihood of applications being granted consent which could justify further cumulative impact assessment.</p> <p>As per the original TA, the impacts were assessed using Junctions 9 software (PICADY module) and considered the following junctions:</p> <ul style="list-style-type: none"> • Site access/ High Street/ Waltham Road/ Gipsy Nook • A607 Melton Road North/ High Street/ A607 Melton Road South/ Goadby Road <p>Based on the assessments undertaken by the applicants, if this application along with the two 2016 applications above were permitted, operation of the junctions would still be well within capacity</p>	<p>Guidance provided in ‘Travel Plans, Transport Assessments and Transport Statements’ states that:</p> <p>“It is important to give appropriate consideration to the cumulative impacts arising from other committed development (i.e. development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next three years). At the decision-taking stage this may require the developer to carry out an assessment of the impact of those adopted Local Plan allocations which have the potential to impact on the same sections of transport network as well as other relevant local sites benefitting from as yet unimplemented planning approval.”</p>
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<p>at 2021, with little impact on queueing or delay.</p> <p><u>Cattle Grid</u> There is currently a cattle grid and gated horse drawn vehicle bypass on Gipsy Nook, which would be removed as part of the proposals. Based on the submitted drawing, there is no indication of a replacement cattle grid or bypass being proposed. While the CHA would have no objections to the removal of the cattle grid and bypass, which are fully within the highway boundary, it would not be in a position to replace it retrospectively and at its own expense should this be requested by the landowner in the future. It is unclear as to whether the landowner for the field adjacent to Gipsy Nook has been consulted over its removal. The CHA would however consider it reasonable that the cattle grid is replaced and a gated bypass provided by the applicants, should the landowner still require this to be in place. The CHA would therefore advise the applicants and the LPA that further consideration of the cattle grid at the Gipsy Nook junction is required.</p> <p>No objection to the proposal subject to conditions and S106 contributions (detailed below)</p>	
<p>LCC Rights of Way Officer</p> <p>Public Footpaths E93, E99 and F1 run through the proposed development.</p> <p>No objection to the application subject to a condition requiring a scheme for the treatment of the Public Footpath to be submitted and approved. The following is expected in line with this condition:-</p> <ul style="list-style-type: none"> - Footpaths should be provided with a 2m wide tarmaced surface with a minimum of 1m wide verges on either side. - all stiles on the site boundaries to be removed to leave a gap or replaced with a hand-gate only where there was still a stock control issue beyond the boundary - Further discussions necessary on proposed pedestrian access points and cycleways. 	<p>Noted.</p> <p>The existing public rights of way will be retained and enhanced providing links with various points of the High Street and also the Industrial estate due south of the site.</p> <p>The application seeks outline consent and the layout is not yet developed.</p> <p>However it is evident that the site is capable of development incorporating the footpaths with the appropriate treatment as advised opposite.</p>
<p>LCC Ecology – No objection, subject to conditions securing mitigation.</p> <p>Satisfied with the level of ecological survey completed for this site (EDP, December 2016). The survey identifies that the site comprises mainly arable fields and an area of improved grassland, surrounded by hedgerows. No Great Crested Newts (GCN) or reptiles were recorded and no further surveys are required for these species. The bat activity surveys recorded bats using the application site and we are therefore pleased to see</p>	<p>The ecological assessment submitted confirms that the boundary hedgerows and scattered trees support a small population of grass snake, a small badger sett and moderate numbers of foraging and commuting bats.</p> <p>Trees and hedgerows are proposed to be retained and enhanced as far as possible and any losses would be mitigated against with new planting.</p>

<p>that the existing hedgerows will be retained and buffered from the development.</p> <p>We note that a badger sett has been recorded at the application site. Concerned with the connectivity between this sett and the wider countryside, particularly in light of the approved application to the south of the site (15/01011/OUT) and immediately south of that the application currently under consideration (16/00847/FUL). These developments will all significantly reduce the foraging areas available to the badgers. Request a better connection to the tree belt to the south of the site to provide the badgers with a route to wider foraging areas.</p> <p>The Indicative Site Plan (Drawing 3088-02 Rev A) shows a corridor to the west and south of the site. There are no details at this stage about the width of this corridor and we would request that this is confirmed prior to the determination of the application. We appreciate that this is an indicative design, but consider that this corridor is material to ensure that the badgers do not become trapped, therefore making the development acceptable. Further information has subsequently been submitted suggesting a minimum buffer of 7m along the southern/western boundary including the existing hedgerow which Ecology have confirmed is acceptable provided that the main use of the buffer is as a wildlife corridor, not shared with a footpath for example.</p> <p>Should Planning Permission be granted the following should be incorporated into condition(s) of the development:</p> <ul style="list-style-type: none"> • Recommendations within Section 6 of the EDP Ecology Report to be followed. • A Badger Mitigation Strategy to be submitted with the reserved matters application. • A Biodiversity Management Plan to be submitted prior to commencement. • Landscaping to be designed for biodiversity, particularly in the area around the proposed balancing ponds and the corridor to the west and south of the site. • All existing hedgerows (not included in the above corridor) to be buffered from development, including plot boundaries, by a minimum of 5 meters. • Ecology surveys are only considered to be valid for a period of 2 years. An updated survey will therefore be required either in support of the reserved matters application or prior to commencement, whichever is soonest after June 2018. 	<p>Planting is proposed to create a woodland habitat and a number of wetland habitats will be created around the existing pond on the western boundary of the site and two additional ponds will be provided.</p> <p>The Ecology report has been independently assessed and raises no objection from the County Council Ecologist, subject to mitigation as proposed.</p>
<p>Environment Agency</p>	<p>Noted.</p>

<p>The agency has reviewed the planning consultation workload to ensure that their time and expertise is focused on those locations and developments that present the following:</p> <ul style="list-style-type: none"> • a high risk to the environment • those that are able to offer significant environmental benefit. <p>The Environment Agency has reviewed the above application and feel that, as presented, the development is in Flood Zone 1, it does not fall under either of the above categories, and therefore do not wish to comment further on these proposals.</p>	<p>The proposal was accompanied with a Flood Risk Assessment which did not highlight any known risks</p> <p>It is concluded that the proposed development is appropriate for the flood risk and is not expected to increase the flood risk elsewhere.</p>
<p>Lead Local Flood Authority:</p> <p>The site is approximately 4.6ha and lies wholly within Flood Zone 1, in accordance with the Environment Agency mapping and as such represents an appropriate location for development in flood risk terms.</p> <p>Welcome the applicant's commitment to utilising multiple SuDS features across the site, including for dispersed attenuation and conveyance channels. Whilst we have no concerns regarding flood risk to the site, discharging surface water flows to the surrounding sewer network should only be considered a last resort as defined in the PPG drainage hierarchy.</p> <p>The proposed development is considered acceptable providing the following planning conditions are attached to any permission granted.</p> <p>No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm or discount the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.</p> <p>Reason To demonstrate whether or not the site is suitable for use of infiltration as part of the drainage strategy.</p> <p>Note to Applicant The results should conform to BRE Digest 365 where trial pits are allowed to drain three times and the calculation of soil infiltration rates is taken from the time taken for the water level to fall from 75% to 25% effective storage depth. Details should also be submitted demonstrating that sufficient surface water storage can be provided on-site. If infiltration is demonstrated to be unfeasible the LLFA would accept the proposed drainage strategy discharging into the combined sewer located in</p>	<p>The application is accompanied by a Flood Risk Assessment (FRA). The FRA concludes that the site is not vulnerable to flooding and is in 'flood zone 1'.</p> <p>The Drainage proposals shown on the Indicative site plan are based upon Sustainable Urban Drainage (SUDS) principles and show three retention ponds around the site. As such they satisfy the requirements of the Framework to create sustainable development and not contribute to flooding.</p> <p>The application seeks outline consent and conditions can be imposed to ensure appropriate drainage methods are incorporated within the reserved matters application.</p>

<p>Mill Lane. However, evidence will be required from the applicant stating such a proposal is acceptable to Severn Trent Water.</p>	
<p>STW: No objection to the proposal subject to the inclusion of the following condition.</p> <p>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.</p> <p>Reason - 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.</p> <p>Suggested Informative - Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building. NB. We have clean water apparatus within the proposed application site, the developer will need to contact Severn Trent Water New Connections Team as detailed below to assess their proposed plans for diversion requirements.</p>	<p>Noted (see also Item 3 of this agenda)</p>
<p>Western Power Distribution Budget costs in Waltham have been provided and the number to date will be catered by reinforcing the electricity network locally in Melton and Waltham.</p> <p>Western Power have a statutory duty under our operating licence to provide adequate connections for existing and future customers. The only potential downside would be if a new development required major reinforcement to the network then they would be expected to fund it.</p>	<p>Noted</p> <p>See also Item 3 of this agenda</p>
<p>Parish Council: 1. It is recognised that the provision of new housing helps to support existing community facilities such as Waltham Primary School, Village Hall, shops, etc. and that it can add to the vitality of the Parish and help to achieve a thriving community. However, these benefits are strongly</p>	<p>These issues are considered all covered and responded to in the sections below.</p>

outweighed by the negative impacts on the villagers. This proposal for a housing estate of 124 dwellings is out-of-scale and out-of-character with the conservation village of Waltham on the Wolds.

2. The need for more houses in the future has been acknowledged. Indeed, we have responded to the recent Melton Local Plan consultation to agree the proposed number of new dwellings required through to 2036. Parishioners generally supported this action at Neighbourhood Plan consultation sessions in November. The village is already set for a 29% growth since 2011, based on existing builds and permissions. If approved, this proposal would exceed the requirement in the Pre-submission Local Plan by 104 dwellings (possibly more dependent upon the outcome of other planning applications). Therefore we see no need for a further development of this size.

3. The proposal would represent over-development of the site, which would be out of keeping with the style and pattern of the surrounding development and village Waltham on the Wolds. The housing estate would not contribute to the 'sense of place' nor respond to local character and history, and reflect the identity of local surroundings. It would therefore be contrary to the requirements of Para. 58 of the NPPF.

4. The proposed site is outside of the current village envelope (Saved Policy OS2). We believe that this saved policy is applicable now that the Borough has a housing supply in excess of 5 years and is not in conflict with the NPPF. The site is also outside of the 'Limits to Development' proposed in the emerging Neighbourhood Plan.

The Pre Submission Local Plan is not considered to be sufficiently advanced to form the basis for decision making. The development must be considered under the NPPF presumption in favour of sustainable development, the benefits of the development being balanced against the harm, as identified by the policies of the NPPF.

Para 58 advises that :

“ Planning policies and decisions should aim to ensure that developments:

- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *are visually attractive*

Full details have yet to be provided where this argument can be furthered. The site is separated from other parts of the village by physical features such that it would not interfere with their historic layout, character or appearance, and provides good links over a short distance which would assist integration.

Policy OS2 and the associated village is considered to be out of date due to its incompatibility with the NPPF as a policy restricting housing supply. The NPPF takes precedence in these circumstances under these circumstances (para. 215), and this is not resolved as a result of the current position in 5 year land

<p>Parishioners again supported this at the consultation sessions in November 2016. It is a special part of the surrounding green fields so important to people in the village.</p> <p>5. Our vision for the Parish over the next 20 years is “thriving, vibrant communities with a strong sense of place and individuality defined by fine buildings, community spirit and set in unspoilt rural surroundings”. The social sustainability of the proposed development is doubtful. The total size of the housing estate, combined with the distance from the village centre will work against effective integration into our community. It will be isolated and have a very negative impact on that sense of place.</p> <p>6. We fully support the response from Historic England (consultation response dated 2 February 2017) namely: “In our view we believe the change of use of the land for housing and the quantum of development will result in harm to the significance of designated and non-designated heritage assets.”</p> <p>7. We fully support the concerns of Waltham Primary School as expressed in its consultation response of 26 Jan 2017.</p> <p>8. Flooding remains a concern due to the ‘perched’ water table and consequent high-water table.</p> <p>9. Public transport to and from the village is poor (infrequent, limited hours and not synchronised with national transport) so cars are the main mode of transport, adding to greenhouse gas emissions and traffic congestion in local towns. At the 2011 Census, only 3% of the commuting population used public transport to journey to their place of work. Although classed as a ‘sustainable’ village, the aspect of transport is not sustainable in Waltham.</p> <p>We are also concerned that the applicant has not adequately consulted with the community. Their consultation circular contained a fundamental and misleading error regarding the housing numbers required by the emerging Local Plan. This was pointed out to the applicant’s agent who agreed but declined to re-issue the leaflet. This renders the public consultation invalid.</p>	<p>supply.</p> <p>Noted. The site is less distant than other parts of the village from its centre. provides good links over a short distance which would assist integration. It would not impact upon lke landscape setting referred to as it is not a ‘village edge’ location and is largely enclosed. It si however of a significant scale for which there is no immediate comparison in the village and would border the ‘historic core’ and Conservation Area in the village, displaying a very different character. It is considered that this aspect weighs against the granting of permission.</p> <p>Historic England recommend the site layout is designed so as to protect key views of the Church, windmill and ridge and furrow on the site. The application is in outline and there is no clear reason why this cannot be achieved at ‘reserved matters’ stage.</p> <p>Please see comments below from the local education authority regarding scope to increase the capacity of the school, and item 3 of this agenda regarding the combined impact of proposals in Waltham on education capacity</p> <p>The drainage proposals have been considered by the LLFA who recommend conditions to ensure a comprehensive system is installed.</p> <p>The village is on a bus route allowing access to Melton and Grantham where employment and a wide range of services are available.</p> <p>Though regar5ded as ‘good practice’, the applicant was not obliged to carry out pre application consultation. Consultation carried out under the application process has accorded with statutory and procedural requirements.</p>
<p>Developer Contributions: s106</p> <p>Highways –</p> <p>1) To comply with Government guidance in</p>	<p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning</p>

<p>NPPF the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:</p> <p>a) Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).</p> <p>b) 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £360.00 per pass).</p> <p>c) STARSfor (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000.</p> <p>2) Details of the routing of construction traffic, to be approved by the Local Planning Authority in consultation with the Highway Authority, should be included in a S106 legal agreement. During the period of construction, all traffic to and from the site shall use the agreed route at all times unless otherwise agreed in writing by the LPA.</p> <p>3) A contribution of £30,000 towards a scheme to reduce vehicle speeds and improve pedestrian crossing facilities on the A607 within the vicinity of Waltham on the Wolds Primary School.</p> <p>Waste - The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of £10,250 (to the nearest pound).</p> <p>The contribution is required in light of the proposed development and was determined by assessing which Civic Amenity Site the residents of the new development are likely to use and the likely demand and pressure a development of this scale and size will have on the existing local Civic Amenity facilities. The increased need would not exist but for the proposed development. 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.</p> <p>The developer contribution would be used on project reference MEL002 at the Melton Civic Amenity Site. Project MEL002 will increase the</p>	<p>purposes, and reasonable in all other respects.</p> <p>It is considered that the transport contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement and comply with CIL Reg. 122.</p> <p>It is considered that the Civic Amenity and Library contributions are justified and necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contributions are to be used for the purpose of providing the additional capacity at the nearest Civic Amenity Site and Library(Melton Mowbray) to the proposed development.</p> <p>The request for improvements to the civic amenity site and libraries have been allocated to specific projects that will increase capacity at the facilities commensurate to the scale of this development, There are not 5 other contributions for these projects and it is therefore considered appropriate for inclusion in a S106 agreement.</p> <p>It is considered that the waste and library contributions relate appropriately to the development in terms of their nature and</p>
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<p>capacity of the Civic Amenity Site at Melton by:-</p> <ul style="list-style-type: none"> • Upgrade current 40 cubic yard containers to 50 cubic yard containers <p>There are four other known obligations from other approved developments, since April 2010, that affect the Melton Civic Amenity Site which may also be used to fund project MEL002.</p> <p>Libraries –The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area.</p> <p>The proposed development on Melton Rd, Waltham on the Wolds is within 7km of Melton Mowbray Library on Wilton Rd being the nearest local library facility which would serve the development site. The library facilities contribution would be £3,740 (rounded to the nearest £10).</p> <p>It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for study support provision to account for additional use from the proposed development. It will be placed under project no. MEL012. This would be the second obligation under MEL012 that have been submitted for approval.</p> <p>Education –</p> <p>The LEA have advised that the primary school is capable of expansion to accommodate the additional demand created by the development but the works involved, and there exact cost, would be dependent upon the total number of houses approved.</p> <p>Similarly, whilst capacity exists in the secondary sector at present for 58 houses, this would not cater for all developments and contributions would be required if thus figure was exceeded.</p> <p>SEE ITEM 3 OF THIS AGENDA FOR FULL DETAILS.</p>	<p>scale, and as such are appropriate matters for an agreement and comply with CIL Reg. 122.</p> <p>The method of calculating Section 106 education contributions is based on the net capacity of the catchment schools.</p> <p>It is considered that the education contribution relates appropriately to the development in terms of its nature and scale, and as such is an appropriate matter for an agreement and complies with CIL Reg. 122.</p>
<p>LCC Archaeology – require trial trenching and results to be analysed.</p> <p>Trial trenching has now been completed and the results assessed by the archaeological advisors.</p> <p>Further to the recently submitted Geophysical Survey (Headland Archaeology, ref: WOTW/01) and Archaeological Evaluation (Headland Archaeology, ref: WOWL/01), which are welcomed, we are now able to revise our recommendations in relation to this planning application.</p>	<p>The application site does not contain any designated heritage assets.</p> <p>The condition suggested by the Archaeological advisors can be applied to any permission granted.</p>

The archaeological investigations have revealed the presence of archaeological remains dating to the prehistoric and Roman periods. Of particular note is an Iron Age ring ditch, likely to represent a drainage ditch surrounding a roundhouse or burial mound. There is also a lot of worked flint across the site, indicating activity from the Mesolithic period onwards. Further archaeological investigation and recording will be required prior to any development of the site, but we are happy that this can be secured by appropriate conditions attached to any forthcoming planning permission.

With regard to our previous concerns about the proposed loss of Ridge and Furrow earthworks, having now visited the site we can confirm that these earthworks are very poorly preserved and barely legible. We feel that their contribution to the setting of the Conservation Area, Church and Mill is very limited, however we would refer you to the advice of your Conservation Officer in this respect.

The development proposals include works (e.g. foundations, services, road construction, water attenuation, landscaping) that will impact upon archaeological remains. In consequence, the Local Planning Authority should require the developer to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance (NPPF Section 12, paragraph 141).

To ensure that any archaeological remains present are dealt with appropriately the applicant should provide for an appropriate level of archaeological investigation and recording. This should consist of a programme of archaeological work to be conducted prior to commencement of the proposed groundworks associated with the development. It should commence with a second phase of archaeological trial trench investigation of the development area, to ascertain the extent of archaeological remains within the site, and a subsequent archaeological excavation of the areas where archaeological remains will be impacted by the proposed development.

A contingency provision for recording and excavation of archaeological remains of greater extent, complexity or significance than currently envisaged should be made, to the satisfaction of your authority in conjunction with your archaeological advisors in this department.

We therefore recommend that any planning permission be granted subject to the following planning conditions, to safeguard any important archaeological remains potentially present:

<p>No development shall commence until a programme of archaeological work (commencing with initial trial trench investigation and including appropriate subsequent mitigation) has been detailed within a Written Scheme(s) of Investigation (WSI), submitted to and approved by the Local Planning Authority in writing. The WSI(s) shall include a statement of significance and research objectives, and:</p> <ul style="list-style-type: none"> -- The programme and methodology of site investigation and recording, with consideration of appropriate analytical methods to be utilised; -- A detailed environmental sampling strategy, linked to the site research objectives and where appropriate informed by previous work (i.e. any previous archaeological evaluation or investigation of this site or in the vicinity); -- The programme for public outreach and dissemination; -- The programme for post-investigation assessment and subsequent analysis; -- Provision for publication, dissemination and deposition of resulting material in an appropriate archive repository; and -- Nomination of competent person(s) or organisation(s) to undertake the agreed work. <p>For land and/or structures included within the WSI, no demolition, development or related ground disturbance shall take place other than in accordance with the agreed WSI.</p> <p>REASON: To ensure satisfactory and proportionate archaeological investigation and recording of the significance of any heritage assets impacted upon by the development proposal prior to its loss, in accordance with local and national planning policy.</p> <p>The programme of archaeological site investigation, subsequent analysis, publication, dissemination and deposition of resulting material in an appropriate archive repository shall be completed within 12 months of the start of development works, or in full accordance with the methodology and timetable detailed within the approved WSI.</p> <p>REASON: To make the archaeological evidence and any archive generated publically accessible, in accordance with local and national planning policy.</p>	
<p>Police and Crime Prevention No objection in principle to the development and recommends that the principles of Secured by Design are adhered to, for which the applicant is recommend to apply for.</p>	<p>Noted. The application seeks outline consent and the layout is not yet developed.</p>
<p>NHS</p>	

<p>The predicted extra 298 patients would be an increase of 6.4% on the practice's current total list size; this would create an increase in service demand.</p> <p>The current building at Waltham has two consulting rooms and one treatment room; the greater demand that the proposed new housing development would create would see a need to extend the building to allow for a third consulting room as the current ones are used to capacity on days when the practice is fully staffed.</p> <p>The existing car park is of a fair size and therefore would not be a priority to alter as it is possible that increased use would be sufficient to withstand the increase in list size.</p> <p>The s106 contribution would provide capital towards building an extension at the practice in order to provide a new consulting room. This would be subject to a full business case and approval by NHS England.</p> <p>The contribution requested is £444 x 124 dwellings = £55,056.</p>	<p>It is considered that the health contribution relates appropriately to the development in terms of its nature and scale, and as such is an appropriate matter for an agreement and complies with CIL Reg. 122.</p>
<p>Historic England</p> <p>The site lies within the setting of the Grade I listed Church of St Mary Magdalene, elevated above the road and a dominant feature within the landscape; and the setting of the conservation area within which there are a number of grade II listed buildings and non designated heritage assets. The medieval church with Norman origins and Victorian modifications commands an important historic and townscape position within the village. The setting of the church which includes the immediate village and rural landscape beyond, contributes to its significance and the overall experience and appreciation of this nationally important heritage asset. Views for example of the church and its prominent spire are seen from within the application site. We disagree with the submitted archaeological desk based assessment which states the application site makes no contribution to the significance of the church.</p> <p>The site is currently in use as arable fields with surviving mature hedgerows. Map regression shows this use is historic. The contribution of the fields to the significance of the conservation area and listed buildings within, lies in their evidential, historic, communal and aesthetic value. This value is expressed through the relationship between the historic core and surrounding agricultural land, historically and physically. The fields and former arable use, aids understanding of how the settlement, developed and survived. The presence of ridge and furrow represents survival of evidence</p>	<p>The main area of public open space is located to the north west of the site. This retains views of the listed windmill and church tower to the north west of the site, ensuring their setting is preserved.</p> <p>The impact on the character and appearance of the area has been considered in the report and as stated by Historic England when they responded to the Melton Local Plan pre-submission draft, great care will be required to manage any potential impact upon the character of the Conservation Area through design, layout and detailing (at the Reserved matters stage).</p>

of former activity and land use at Waltham. Aesthetically and communally, the site also contributes to the rural setting and open countryside - creating a sense of place in which the village conservation area and church are experienced and enjoyed.

We responded to the Melton Local Plan pre-submission draft and considered within this, the proposed development site, identified as site WAL3. We stated that development of sites WAL1,2 and 3 will only be supported where it is illustrated through the layout, design and detailing that the heritage assets will be conserved and enhanced. All proposed sites including WAL3 are adjacent to the Conservation Area, as noted within the village assessment. The size of the sites to the south of the settlement (WAL1-3) would potentially impact upon the character of the Conservation Area and great care would be required to manage this impact through design, layout and detailing.

There is survival of ridge and furrow contributing to historic landscape character and the setting of designated assets and losses should be minimised. This includes any proposed landscaping on areas of ridge and furrow. Impact upon the Grade I listed Church of St Mary Magdalene and The Old Mill (Grade II) to the north of WAL3 requires careful assessment. In particular in relation to WAL3 development should avoid compromising views of the Church of St Mary which contribute to its and the Conservation Area's significance.

In our view we believe the change of use of the land for housing and the quantum of development will result in harm to the significance of designated and non-designated heritage assets. Whilst the layout submitted is illustrative, we believe some mitigation of harm is achievable through a layout which preserves views of the church and old mill. The layout as shown does not take account of these heritage assets and we would suggest amendments at this stage to agree a revised design and set of design parameters to inform and safeguard key issues.

Policy Context

Our advice on this planning application is given in the context of the 1990 Act and Government policy and guidance provided in the NPPF and the Planning Practice Guidance. We also refer to the sector wide Historic Environment Good Practice in Planning Notes 1-3. It is a legal requirement that any decisions relating to listed buildings and conservation areas must pay special regard to the desirability of preserving a listed building, its setting or features of special interest (section 66(1) of the 1990 Act) and to pay special attention to the

desirability of preserving or enhancing the character or appearance of the conservation area (s.72(1), 1990 Act). This is a high test and needs to be given the appropriate weight in determining these applications. The importance attached to setting is therefore recognised by the principal Act, by the NPPF, by the accompanying practice guide and in the GPA.

As the NPPF states, great weight should be given to the conservation of heritage assets (paragraph 132). All harm requires 'clear and convincing justification' and the public benefit weighed against the harm caused.

Paragraph 131 of the NPPF, in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness

Conclusion

In our view the proposed housing development will harm the significance that the Grade I listed Church of St Mary Magdalene, the Grade II listed Mill and the conservation area derive from their setting. The NPPF is clear on the need for a 'clear and convincing justification' for any level of harm. Ultimately, the soundness of a decision for statutory consent, will require careful weighing of the significance of the heritage assets and the degree of harm arising from the proposed development against the public benefit of housing development. Through a revised layout and agreed design parameters, we believe harm can be mitigated through preserving views of the church, the mill building and preserving the ridge and furrow. We advise further archaeological advice is sought from Leicestershire County Council.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of the NPPF.

Conservation Officer

This application for 124 dwellings and landscaped open gardens has been considered by Historic England who have raised concerns about the proposed application on the impact of the setting of the Grade II listed Waltham on the Wolds Mill and the Grade I listed St Mary Magdalene Church with Norman origins and Victorian modifications.

Historic England have stated that views to the Church and Mill building are visible from the application site. After inspecting the site with the Applicant and Case Officer, it is the opinion of the Conservation Planning Officer that the impact is less than substantial and while the application site makes a contribution to the significance of the church, it is no more than surrounding land which has recently been developed on and in these areas the land only forms a minor contribution. The only listed building in close vicinity is the Mill House and the setting will be partially secured as the adjoining parcel of land within the development site is to be landscaped as green space open to the public with a footpath running through the centre.

The historic significance of the land itself is clearly identified from walking the application site and also from satellite images. The contribution of the fields to the significance of the conservation area aids understanding of how the settlement of Waltham on the Wolds evolved, most clearly through the ridge and furrow land within the application site. However, it is the opinion of the Conservation Officer that the field systems surrounding Waltham on the Wolds present some of the best preserved medieval field patterns in the whole of Leicestershire, which is itself one of the best preserved counties in the United Kingdom. Nationally there are six areas which are given statutory protection and beyond this the situation is fluid, with judgement on a case by case basis.

In this part of the Midlands the morphogoloy and tenure of the open field system prior to enclosure occupied around 80% of the Parish. It is important to observe how much of that figure survives today. In the case of Waltham on the Wolds there are still vast swathes of the parish where ridge and furrow survives and as such the parcel of land within the application site, while still historically important, would not be the last trace of the medieval field system to disappear if an approval for development is granted. However it is important to consider in future applications that the historic relationship between the field system and the settlement does not disappear altogether.

The applicant's heritage consultant's commentary regarding the insignificance of the ridge and furrow

The land is not designated for its cultural heritage value.

The Conservation Area lies to the north west of the site and within this there are a number of listed buildings. However, the impact of the proposed development has been assessed and it is determined that it would not result in an adverse impact on the setting of these heritage assets.

The layout submitted at this stage is only illustrative and will be fully considered at reserved matters stage to ensure the proposal will not harm the significance of the Grade I listed Church of St Mary Magdalene, the Grade II listed Mill and the conservation area.

<p>on the basis of its size and legibility is not considered to be accurate. The corrugated S shaped strips testify to an animal driven plough, and the ridge is at the height in the rise and fall cycle at the point in which it was taken out of cultivation and laid down to grass.</p> <p>The issue of development on this historic land is a matter of divorcing a settlement from a former landscape and its former use. Much land still remains in the Parish of Waltham on the Wolds to provide these evidential values, but it is considered that a time will come in the future when the issue of development will become more significant, at point in which the historic evolution of the Parish is no longer legible.</p>	
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Representations:

Site notices were posted and neighbouring properties consulted. As a result **53 letters of objection have been received from 55 different households**; the representations are detailed below:

Representations	Assessment of Head of Regulatory Services
<p>Impact upon the Character of the Area</p> <p>A development of 124 dwellings in one location is totally excessive.</p> <p>Any development should be smaller numbers in areas around the village so as not to change the village environment.</p> <p>A village expansion of this size and scale would seriously undermine the integrity of the built form of the village.</p> <p>It stands on the highest ground , being 3.5 meters above the High Street and would dominate and obscure the southern views of a large number of existing properties</p> <p>Our conservation village has had its fair share of new proposed developments over the last couple of years but this one would alter the size and scale of the existing settlement to an unacceptable level</p> <p>The development is on farmland on the edge of the village and is not infill or brown field, it is building on greenfield. The location of the development will place many residents who bought houses to live on the edge of the village for views or peace into the centre of the village and be surrounded by new housing, current residents must be taken into serious consideration on this.</p> <p>This additional development will alter the nature and character of a classical English village.</p>	<p>An illustrative layout has been developed by the agent following consideration of the constraints and opportunities identified in the accompanying technical reports.</p> <p>The proposals include 3.87 hectares of green infrastructure (including play area and ponds) and will be well landscaped. The illustrative layout shows that public open space will be provided in the north western corner of the site and will include a designated Multi use Games area (MUGA) and a designated area for children’s play space. The most easterly portion of the site is also designated for additional allotment land with the intention of linking up with the existing allotments north east of the site. A village green is also proposed at the centre of the site and a community orchard is proposed to the east of the site. In total this represents circa 43% of the site area.</p> <p>Although the site is a parcel of greenfield land, it is surrounded by existing and proposed built development which reduces the visual sensitivity as a greenfield site.</p> <p>Waltham as a whole displays housing of varying character including more modern layouts in parts.</p> <p>The total area of land for residential development within the site is 4.60 ha excluding the principal access road, green infrastructure, SuDS and play areas. This results in an average</p>

<p>Waltham is proud to be designated a conservation village. Much effort has gone in over the years to preserve this quality and status. This is inconsistent with the emerging trend embodied in the current planning applications to increase significantly the size of the village, establishing large pockets of new houses on the fringes of the village, towards a dormitory status.</p>	<p>density of 27 dph.</p> <p>As the application is in outline the scale of the development will be addressed at the reserved matters stage. However, the application suggests the following range of building heights across the site to respond to site topography and local context:-</p> <ul style="list-style-type: none"> • Up to 2 storeys (8m max ridge height) – northern edge of the site facing towards the conservation area and back of High street • Up to 2 storey (9m max ridge height) – to the remaining northern parcels • Up to 2,5 storey (10.5m max) – throughout the rest of the development
<p>Impact upon Highway Safety:</p> <p>This application pays no regard to the traffic problems that already exist on the high street, having access in TWO locations on to the High Street. Any development should have vehicular access directly onto the A607 and that alone.</p> <p>Vehicle egress from the site as planned would result in an additional 200 plus cars emerging onto the High Street. The High Street is already congested and cannot cope with more through traffic.</p> <p>The access points to the site are poor, both onto High Street. One is onto a difficult and obscured bend and the secondary access (which is the quickest route to the main road) through a densely packed housing estate . 24 houses will use this access and potentially another 200 + cars from Mounts site. This access is hazardous now, the road is narrow, parked cars on both sides make it a single track and the school bus parks near this entrance It's a dangerous situation at present without the proposed extra vehicles</p> <p>The main site access to the south-east of the development will exit onto the bend of High Street/Stonesby Road and Gypsy Nook. If vehicles exit and turn to drive back through the village of Waltham, there are no pavements on this stretch of road for at least 60 metres and the increased traffic from this development will put pedestrians at serious risk.</p> <p>From Waltham towards the proposed main site entrance, there is a blind bend just prior to where the pavement runs out so pedestrians already have to be extra vigilant for traffic from both directions. Increased traffic will make this stretch of road a nightmare.</p> <p>The potential for danger leaving the village in the</p>	<p>Vehicular access to the site is via a new junction to the east of the site. An additional access is also possible through the recently approve Barwood Homes site to the north.</p> <p>The transport assessment submitted confirms that the increase in traffic would not have a detrimental impact on the surrounding highway network in terms of capacity or highway safety. The Highway Authority have no objections to the proposal on Highway safety grounds.</p> <p>The proposed indicative site layout plan and the accompanying Transport Assessment confirms that the site is in a sustainable location with residents having reasonable opportunities to travel by non-car modes within the existing infrastructure. The site has been designed to encourage pedestrian and cycle trips to the village centre via new and improved pedestrian and cycle access links connecting the application site with the village centre, existing development to the south and the adjoining Barwood Homes site to the north.</p> <p>Accordingly it is considered that there are no highways or transport grounds to refuse the application.</p>

<p>direction of Stonesby cannot be underestimated. Drivers see the national speed limit sign as soon as they round the bend and most are already driving in excess of 30mph before leaving Waltham. Very few slow down to 30mph when entering the village until they reach the bend where the main site entrance will be. Those exiting the main site at the south-eastern end will see a straight road to Stonesby ahead and the national speed sign. Again, there are no pavements on this stretch of road, putting pedestrians and other road users at risk. These danger spots will be exacerbated by the number of cars on the site, especially where 3 to 4 spaces are being provided for cars outside a 4 bedroom house, and 2 to 3 for a smaller house. That means there could potentially be between 250 and 350 cars using this junction on a regular basis.</p>	
<p>Drainage</p> <p>There is a risk of groundwater flooding in this area due to seasonal ponds and the recognised presence of the aquifer. This could and has caused flooding to homes that lie below this high ground.</p> <p>The water pressure and supply is just adequate to support the current number of houses. The additional provision of water and electricity supplies will in all likelihood cause considerable disruption.</p>	<p>The accompanying Flood Risk Assessment and Drainage Strategy demonstrate that there are solutions for drainage of the site which would not increase flood risk to the wider catchment area. As such the proposals are considered acceptable in flood risk and drainage terms.</p> <p>Severn Trent and the Lead Local Flood Authority have been consulted and raise no objections to the proposal. This can be conditioned and form part of the reserved matters application to ensure the designs will be effective. Please see item 3 of this agenda regarding water supply issues.</p>
<p>Impact upon Environment</p> <p>The land is classified as grade 2/3 agricultural land by Natural England which is of good to very good quality and should not be used for development.</p> <p>Building houses heated by oil fired boilers does not help the environment.</p>	<p>Noted. NPPF advises that “Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.” This is considered to be a factor weighing against the granting of permission.</p>
<p>Schooling</p> <p>With the other housing development already approved in Waltham, this (and other applications submitted) would increase pupil numbers well beyond the practical and on-paper capacity of Waltham-on-the-Wolds CE Primary School.</p> <p>As a small rural school there are areas of our site and buildings that would require development if the numbers on roll were to increase above the schools capacity, in order to maintain the high quality teaching and learning that currently exists.</p> <p>The school would require £100s of thousands to improve it to accommodate the additional children as it would require a school hall for</p>	<p>The planning application for consideration will contribute towards the school to enable further school places for the new residents. The site falls within the catchment area of Waltham on the Wolds C of E Primary School.</p> <p>The LEA advise that the School has a net capacity of 100 and 125 pupils are projected on the roll should this development proceed; a deficit of 25 pupil places after taking into account the 30 pupils generated by this development.</p> <p>However they advise that this can be overcome by improving, remodelling and enhancing the</p>

<p>sports and meal times in addition to new classroom areas and increased parking for parents.</p>	<p>existing facilities at Waltham on the Wolds C of E Primary School. Please see item 3 of this agenda for further details.</p>
<p>Infrastructure The village cannot sustain a development of this size. There is very limited local employment and shopping availability.</p> <p>Barwood Homes claim that public transport is good. How can one bus an hour which does not run after 5 pm be described as good?</p> <p>The village does not have the infrastructure to support a development of this size, especially with over a further 135 houses proposed at Fair Farm and Bescaby lane. The doctors surgery is already overstretched (as its takes weeks to get an appointment) there is no gas in the village and water supply can be weak.</p> <p>There is no infrastructure to support it, the school is at max capacity and cannot easily expand. We have one small shop and a Deli. The public transport network is weak and despite previous planning investigations does not support living in a village and travelling for work, the majority of new residents will use a car, or two, as do the current ones, for shopping, sports activities, school runs, after school clubs and other activities that village life does not support. We make a minimum of 6 journeys a day but often more, up to 14.</p> <p>As someone who runs their business in the village I also have huge concern about the strain that these additional houses will have on crucial services such as the broadband network. At best the speed is just adequate and the speed of the system would probably grind to a halt at peak times with so many more users hooked-up to the network - a problem further exacerbated by the fact we have such poor 3G coverage in the village.</p>	<p>Waltham has a range of facilities which it is considered renders it a sustainable location for residential development. This has been reflected in recent decision making.</p> <p>The research undertaken for the Pre Submission version of the Local Plan identifies Waltham on the Wolds in its settlement hierarchy as a ‘Service Centre’ which offers a range of services. Service centres are second in the hierarchy to Melton and are where the majority of new development is to be directed.</p> <p>The Health Agencies have advised that the local surgery can be expanded to accommodate the additional demand arising from the proposal (see above and the contribution sought) and, in the case of the Primary School, it is also indicated by the LEA that it is capable of expansion of its capacity (see also item 3 of this agenda). Other services, such as the shop, pub etc can only stand to benefit from greater potential patronage arising from the proposals.</p>
<p>Planning Policy The additional housing stock anticipated for the village will be met within the time frame without this development.</p> <p>There is no or need for this number of homes , indeed it contravenes MBC’s guidelines of what is suitable for Waltham</p> <p>This proposal is in excess of the draft Local Plan requirement for Waltham for the next 19 years and goes way above the residual requirement once proposed developments already approved are taken into account.</p> <p>If all planning applications that are submitted are</p>	<p>The Draft Local Plan Emerging Options set 91 dwellings to be built in Waltham on the Wolds during the plan period, this development would aid the achievement of the minimum development target set out. However the Local Plan (including the apportionment it suggests for Waltham) is still in development and cannot be taken as adopted policy at present (see additional details below).</p> <p>Noted.</p>

<p>granted permission, Waltham on the Wolds will DOUBLE in size.</p> <p>There are plenty of Villages and Hamlets in the Borough that could benefit from small developments (e.g 10 or so houses) that would help keep their local facilities running whilst not having a major impact on traffic, noise etc..</p> <p>This development will counter the published Neighbourhood Plan.</p> <p>Waltham has an existing establishment of some 450 homes. Acknowledging the county's requirement for extra capacity, a need for a further 90 or so houses has been identified, an increase of 20%. This is being incorporated into the Local Plan. Planning permission has already been given to all but 20 houses of this requirement. There are three further applications currently under consideration, 16/00793, 16/00847 and 16/00971, totalling an additional 229 homes. This is far in excess of what has been identified and targeted, by almost 50% of the existing village size.</p> <p>Very little consideration is being given by the planning department to looking at the big picture, and the totality of the detrimental impact on our village if all this over development is given permission to go ahead.</p> <p>Waltham is being categorised along similar lines to locations such as Asfordby and Bottesford, yet each of those places has a multitude of local services and amenities for residents.</p> <p>There is no demand for new housing in Waltham, in fact there are many houses currently up for sale, no doubt some as a result of the uncertainty of the future planning.</p>	<p>The application must be considered on its own merits, rather than how it compares to other, theoretical, proposals.</p> <p>See response to Neighbourhood Plan below.</p> <p>Whilst the Local Plan has progressed by advancing to Examination stage, it remains in preparation and as such can be afforded only limited weight. See item 3 of this agenda for further discussion of this aspect.</p> <p>The overall picture is understood and is being addressed through the production of the Local Plan (and indeed Neighbourhood Plan). However whilst these are still in production they carry limited weight and planning applications continue to need to be determined on their own merits, under the terms laid out by the NPPF.</p> <p>Noted.</p>
<p>Residential Amenity</p> <p>The proposed 120 houses would be close to my own house and would increase the noise level greatly.</p>	<p>The application is in outline with the layout illustrative. The site is sufficient to allow development with normally expected levels of separation and boundary treatment where necessary. Similarly, the house positions illustrated are not 'fixed' and would be assessed for privacy impacts at reserved matters stage.</p>
<p>Other</p> <p>There has been insufficient notification about the proposed development, and therefore the consultation process has been weak. There have been no notices of the proposal on the lampposts nearby, and as far as I can tell some people backing onto that land have not been consulted. I would argue that for a development of this size the consultation should not just be those houses that back onto the land and should include those</p>	<p>A site notice was posted near to the proposed access, neighbouring properties that border the site were consulted and an advert was published in the Melton Times. It is therefore considered that statutory consulted procedures have been adhered to.</p>

that are on the roads that are adjacent to that land.	
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Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
<p>Housing type</p> <p>The configuration and Housing mix provided</p>	<p>Housing Mix: Although in outline, the application proposes a range of house types and sizes from 1-5 bed, with the specific mix being the subject of a reserved matters application. These are considered to reflect identified needs.</p> <p>Affordable Housing The application proposes approx. 46 affordable units, details of which would follow at reserved matters stage.</p> <p>This equates to 37% which is the percentage identified by the most up to date evidence (the 2016 Housing Needs Study)</p>
<p>Neighbourhood Plan</p> <p>Concern that development should not go ahead until the Neighbourhood Plan is complete.</p> <p>The Waltham Neighbourhood Plan is still in development and recently completed its ‘Reg 16’ consultation exercise. The parish council and currently deciding whether to proceed to Examination and, subsequently, Referendum.</p> <p>The site lies outside the Village Envelope Identified by the Neighbourhood Plan and is therefore contrary to Policy S1 which states that:</p> <p><i>“Development proposals within the Neighbourhood Plan area will be supported on sites within the Limits to Development as identified in Figures 3 and 4 (overleaf) where they comply with the policies of this Neighbourhood Plan and subject to design and amenity considerations. Land outside the defined Limits to Development will be treated as open countryside, where development will be carefully controlled in line with local and national strategic planning policies”.</i> (Exceptions are also listed which are not applicable to this proposal).</p> <p>Policy H1 states: <i>Having regard to the number of dwellings already constructed plus existing sites with planning permission and allowing for allocated draft Local Plan sites within the Limits to Development, the Parish has exceeded its housing requirement over the Plan period. Therefore, until such a time as there is an increase in housing need across Melton Borough or unless there is a failure to deliver the existing commitments, further housing</i></p>	<p>National Planning Policy Guidance states that :</p> <p><i>a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and</i> <i>b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”</i></p> <p>It goes on to advise that “ <i>Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period”</i></p> <p>Where refusal of planning applications are made on the grounds of prematurity the authority needs to indicate clearly how planning permission would prejudice the outcome of the plan-making process.</p> <p>It is considered that the NP is not in the position to which the National Guidance advises ‘preaturity’ concerns can be applied, and therefore not considered that a refusal could be reasoned on the grounds of prematurity in light of the above factors.</p> <p>However the Neighbourhood Plan is a material consideration that should be taken account in determining the application, alongside all others. It is considered that its weight should be ‘limited’. PLEASE SEE ITEM 3 OF THIS AGENDA FOR GREATER DETAIL.</p>

<p><i>development in the Parish will be restricted to Windfall development in line with Policy H8.</i></p> <p>Finally, the proposal is contrary to Policy ENV12: Protection of Important Views, in which views South from public right of way beyond Manor Farm: a commanding view past the fishing lakes and TV transmitter towards Freeby and Garthorpe.</p> <p><i>The Policy requires that “Development proposals should respect the open views and vistas”</i></p>	<p>The conflict with the Neighbourhood Plan is a factor that is considered weighs against the granting of permission.</p>
<p>Application of Planning Policy</p>	<p>Waltham is considered to perform well in sustainability terms owing to its community facilities and transport links. Recent decisions made by the Council and on appeal by the Secretary of State have described it as a sustainable location for housing for these reasons and there have been no material changes to this position in the interim. It is therefore considered that it could be impossible to refuse the application of the basis of the sustainability of the location.</p> <p>However, sustainability also takes into account economic and environmental factors and it is recognised that the site is ‘greenfield’ without a presumption for development. This is considered to weigh against the proposal. However, the land is not identified by any study or policy as important to the setting of Waltham nor is it designated as important countryside, for example through National Park, AONB or any other landscape designation giving it ‘special’ status. Accordingly it does not meet the types of location that the NPPF requires to be protected and accordingly only limited weight can be afforded to this aspect.</p> <p>5 year land supply issues:</p> <p>The application is required to be considered against the Local Plan and other material considerations. The NPPF is a material consideration of some significance because of its commitment to boost housing growth.</p> <p>The NPPF advises that local housing policies will be considered out of date where the Council cannot demonstrate a 5 year land supply and where proposals promote sustainable development objectives it should be supported.</p> <p>The Council’s most recent analysis shows that there is the provision if a 5 year land supply and as such the relevant housing policies are applicable.</p> <p>However, the 1999 Melton Local Plan is</p>

	<p>considered to be out of date and as such, under para. 215 of the NPPF can only be given limited weight.</p> <p>This means that the application must be considered under the ‘presumption in favour of sustainable development’ as set out in para 14 which requires harm to be balanced against benefits and refusal only where “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.</p> <p>Furthermore, a recent appeal decision (APP/Y2430/W/16/3154683) in Harby made clear that ‘a supply of 5 years (or more) should not be regarded as maximum.’ Therefore any development for housing must be taken as a whole with an assessment of other factors such as access, landscape and other factors...”</p>
<p>The (new) Melton Local Plan – Pre submission version.</p> <p>The Pre Submission version of the Local Plan(as amended by ‘Focussed Changes’) was submitted for Examination to the Secretary of State on 4th October</p> <p>The Pre Submission/Focussed Changes version of the Local Plan identifies Waltham on the Wolds in its settlement hierarchy as a ‘Service Centre’ which offers a range of services. Service centres are second in the hierarchy to Melton and are where the majority of new development is to be directed. It is proposed that Waltham is allocated 91 new homes.</p> <p>The pre-submission Local Plan/Focussed changes also identifies site allocations. This site forms part of a ‘reserve site’ allocation WAL3.</p> <p>Policy WAL3 states that development of the site will be supported provided:-</p> <ul style="list-style-type: none"> • Only part of the site is suitable for development, to a scale appropriate to compensate for the non-delivery of the allocated sites only • Appropriate flood and drainage assessments proposing mitigation effective to deal with the scale of the impacts identified. • Biodiversity enhancements are identified and provided with proposals 	<p>Whilst the Local Plan has progressed by advancing to Pre-submission stage, it remains in preparation and as such can be afforded only limited weight.</p> <p>Decisions therefore need to consider the application in accordance with paragraph 215 of the NPPF which states due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).</p> <p>It is therefore considered that it can attract weight but this is limited at this stage. (See Item 3 of this agenda for greater detail on the question of ‘weight’).</p> <p>Waltham is identified as a service centre and the emerging plan deems the application site suitable for accommodating residential development, allocating the site as a reserve site should other emerging preferred sites become undeliverable in 5 years.</p> <p>The site is identified as reserve site WAL3 in the site allocations. This states that the site offers opportunity for large scale development but is potentially out of scale with the current village if developed throughout. The estimated capacity of this site is 168.</p> <p>In response to this the applicant contests that a higher proportion of dwellings should be attributed to Waltham on the Wolds and the</p>

	<p>application site should be made a preferred allocation in the emerging plan either in addition to or instead of some of the other emerging allocations. Waltham is one of the four largest villages in the Borough and has the sustainability credential and land available to accommodate a larger scale of development to that which is currently proposed in the merging plan. The application site is within single ownership, is being promoted by a developer and would be readily available straight away if approved.</p> <p>However it is considered that the application is contrary to the Local plan at its current stage of advancement and that it is a factor that weighs against the granting of permission.</p>
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Conclusion

It is considered that the application presents a balance of competing objectives and the Committee is invited to reconcile these in reaching its conclusion.

The Borough is deficient in terms of housing supply more generally and this would be partly addressed by the application, Affordable housing provision remains one of the Council’s key priorities. This application presents some affordable housing that helps to meet identified local needs.

Waltham is considered to be a sustainable location for housing having access to various facilities, primary education, local shops, and a regular bus services and limited distances to employment opportunities and this has been established in previous decisions.

It is considered that balanced against the positive elements are the site specific concerns raised in representations, particularly the development of the site from its green field state and impact on the character of the village and highway safety, and its conflict with the Local and Neighbourhood Plan.

The Local Highway Authority do not consider that the proposal would lead to severe harm to highway safety. In terms of character of the area, the submitted application is in outline stage only and the applicant has undertaken a detailed appraisal of the character of the settlement. The site is not covered by any specific designation however the proximity to the Conservation Area to the north is noted. The Local and Neighbourhood Plans are material considerations but at their current stage are of limited weight.

Full details of appearance, layout and scale will be a matter for subsequent reserved matters applications where matters of design and impact can be fully assessed.

Contributions to provide additional capacity at the nearest Civic Amenity site and library are of a tariffed style request that will be ‘pooled’ under CIL Regulation 123 (3) whereby no more than five contributions can be pooled for any single infrastructure project. As stated above the request for improvements to the civic amenity site and library has been allocated to a specific projects that will increase the capacity at the site.

The education contribution would be used for the provision, improvement, remodelling or enhancement of education facilities at schools in the locality of the development which the residents of the development would usually be expected to attend at both Primary and Secondary level (if applicable). They are therefore all considered appropriate for inclusion in a Section 106 agreement.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from this proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issue is considered to be development of a greenfield site.

The issue of development a greenfield site is considered to be of limited harm, bearing in mind its location and the absence of any identification that it is of particular landscape value, and conflict with

Local and Neighbourhood Plans have limited weight as a consequence of their state of advancement and circumstances surrounding them.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits; it is considered that permission can be granted.

Recommendation: PERMIT, subject to:-

- (a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:**
- (i) Contribution for the improvement to civic amenity sites at £3,720
 - (ii) Contribution to sustainable transport options
 - (iii) Contribution towards a crossing near the Waltham school
 - (iv) Contribution for education at primary and secondary level (see item 3 of this agenda)
 - (v) Contribution for the health service capacity as set out above.
 - (vi) 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

(NB with regard to (iii) above, the contribution is dependant upon the results of the feasibility work being carried out by the Local Education Authority (see item 3 of this agenda) and the outcomes of other applications. Any decision should be subject to the result of this work and the agreement of the applicant to the contribution that arises as a result).

Recommendation: PERMIT, subject to:-

- (b) The completion of an agreement under s 106 for the quantities set out in the above report to secure:**
- (vii) Contribution for the improvement to civic amenity sites.
 - (viii) Contribution for the improvement to libraries.
 - (ix) Contribution to the local Primary School (see note below)
 - (x) Contribution to sustainable transport options
 - (xi) Contribution to improve the medical surgery
 - (xii) Contribution to maintenance of open space
 - (xiii) 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

(NB with regard to (iii) above, the contribution is dependant upon the results of the feasibility work being carried out by the Local Education Authority (see item 3 of this agenda). Any decision should be subject to the result of this work and the agreement of the applicant to the contribution that arises as a result .

(c) The following conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site until approval of the details of the "external appearance of the building(s) and landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
3. The reserved matters as required by condition 2 above, shall provide for a mixed of types and sizes of dwellings that will meet the area's local market housing need.
4. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

5. 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.
6. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.
7. 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.
8. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm or discount the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.
9.
 - Recommendations within Section 6 of the EDP Ecology Report to be followed.
 - A Badger Mitigation Strategy to be submitted with the reserved matters application.
 - A Biodiversity Management Plan to be submitted prior to commencement.
 - Landscaping to be designed for biodiversity, particularly in the area around the proposed balancing ponds and the corridor to the west and south of the site.
 - All existing hedgerows (not included in the above corridor) to be buffered from development, including plot boundaries, by a minimum of 5 meters.
 - Ecology surveys are only considered to be valid for a period of 2 years. An updated survey will therefore be required either in support of the reserved matters application or prior to commencement, whichever is soonest after June 2018.
 - a minimum buffer of 7m along the southern/western boundary including the existing hedgerow. The type of planting within the buffer should be designed and managed so as to provide a wildlife corridor.
10. No development shall take place until a scheme for the provision of Public Rights of Way has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the County Council's Guidance Notes for Developers.
11. The site shall be served by a single point of vehicular access as shown generally on Pba Drawing No. 39276/5501/001, the full details of which shall first have been submitted to and approved by the LPA in consultation with the CHA before development commences. Notwithstanding the proposed design, all design matters shall be in accordance with the standards contained in the current County Council design guide and shall thereafter be permanently so maintained. Visibility splays shall be a minimum of 2.4 x 43 metres and nothing shall be allowed to grow above a height of 0.6 metres above ground level within these splays. The approved junction shall then be provided fully in accordance with the approved plans before any dwelling hereby permitted is first occupied.

NOTE: If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.
12. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.

13. No development shall commence on the site until such time as scheme for pedestrian accesses along Footpath E99 linking the site with Mill Lane (on the western side of the development), High Street east and the pedestrian/ cycle link to High Street north including timetables for their provision has been submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and timetables unless in accordance with any variation first agreed in writing by the Local Planning Authority.

14. No development shall commence until a programme of archaeological work (commencing with initial trial trench investigation and including appropriate subsequent mitigation) has been detailed within a Written Scheme(s) of Investigation (WSI), submitted to and approved by the Local Planning Authority in writing. The WSI(s) shall include a statement of significance and research objectives, and:
 - The programme and methodology of site investigation and recording, with consideration of appropriate analytical methods to be utilised;
 - A detailed environmental sampling strategy, linked to the site research objectives and where appropriate informed by previous work (i.e. any previous archaeological evaluation or investigation of this site or in the vicinity);
 - The programme for public outreach and dissemination;
 - The programme for post-investigation assessment and subsequent analysis;
 - Provision for publication, dissemination and deposition of resulting material in an appropriate archive repository; and
 - Nomination of competent person(s) or organisation(s) to undertake the agreed work.

For land and/or structures included within the WSI, no demolition, development or related ground disturbance shall take place other than in accordance with the agreed WSI.

15. The programme of archaeological site investigation, subsequent analysis, publication, dissemination and deposition of resulting material in an appropriate archive repository shall be completed within 12 months of the start of development works, or in full accordance with the methodology and timetable detailed within the approved WSI.

Reasons:

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To ensure that the housing needs of the borough are met.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
5. To provide a reasonable period for the replacement of any planting.
6. To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public, nature conservation or historical significance.
7. 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.
8. To demonstrate whether or not the site is suitable for use of infiltration as part of the drainage strategy.
9. To preserve the presence of any protected species which may be on site.
10. In the interests of amenity, safety and security of users of the Public Rights of Way.
11. To ensure a satisfactory form of development and in the interests of highway safety.

12. To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.
13. To improve connectivity to the site and in the interests of pedestrian safety and to ensure that adequate steps are taken to provide a transport choice/a choice in mode of travel to/from the site.
14. To ensure satisfactory and proportionate archaeological investigation and recording of the significance of any heritage assets impacted upon by the development proposal prior to its loss, in accordance with local and national planning policy.
15. To make the archaeological evidence and any archive generated publically accessible, in accordance with local and national planning policy.

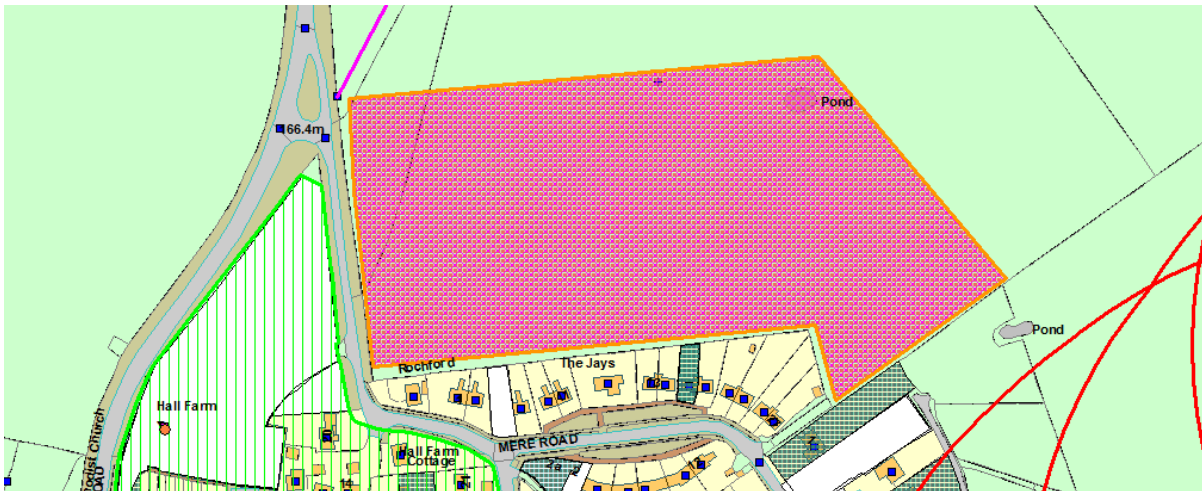
Officer to contact: **Mr Jim Worley**

Date: 9th October 2017.

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COMMITTEE DATE: 17th October 2017

Reference: 17/00080/OUT
Date submitted: 25.01.2017
Applicant: Ms Grace Milham
Location: Land Off Mere Road, Mere Road, Waltham On The Wolds
Proposal: Residential development of up to 99 dwellings, associated infrastructure and landscaping



Proposal :-

This application seeks **outline planning permission for up to 99 dwellings**. The land is situated on the northern edge of Waltham on the Wolds. Access to the site is proposed directly from Mere Road as it goes towards Grantham and the A607. The site is considered to be greenfield site with no presumption in favour of development

The application is reported back to Committee following deferral on 29th June 2017 to consider the following issues:

1. Investigation Water supply and sewerage infrastructure issues
2. The contribution of section 106 funding required for additional school places
3. Consideration of the impact to the surgery
4. Consideration of the impacts on electricity supply

In response to these points please see the report 'Waltham On The Wolds 'Common Issues'(item 3 of this agenda).

The application is in outline with access to also be considered,

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

- Compliance or otherwise with the Development Plan and the NPPF
- Impact upon the character of the area
- Impact upon residential amenities
- Sustainable development
- Traffic and access issues

The application is required to be presented to the Committee due to the level of public interest and amount of representation received.

History:- None relevant

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 - does not allow for development outside the town and village envelopes shown on the proposals map **except** for development essential to the operational requirements of agriculture and forestry, and small scale development for employment, recreation and tourism.

Policy OS3: The Council will impose conditions on planning permissions or seek to enter into a legal agreement with an applicant under section 106 of the Town and Country Planning Act 1990 for the provision of infrastructure which is necessary to serve the proposed development.

Policy BE1 - allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

Policy H10: planning permission will not be granted for residential development unless adequate amenity space is provided within the site in accordance with standards contained in Appendix 5 (requires developments of 10 or more dwellings to incorporate public amenity space for passive recreation with 5% of the gross development site area set aside for this purpose).

Policy H11: planning permission will not be granted for residential development of 15 or more dwellings unless it makes provision for playing space in accordance with the Councils standards at Appendix 6 of this Local Plan (on developments of 50 or more dwellings, every dwelling must be within a 5 minutes walk (240m straight line distance) of a LEAP (Local Equipped Area for Play).

Policy C1: states that planning permission will not be granted for development which would result in the loss of the best and most versatile agricultural land, (Grades 1, 2 and 3a), unless the following criteria are met: there is an overriding need for the development; there are no suitable sites for the development within existing developed areas; the proposal is on land of the lowest practicable grade.

Policy C15: states that planning permission will not be granted for development which would have an adverse effect on the habitat of wildlife species protected by law unless no other site is suitable for the development Policy C16.

The National Planning Policy Framework introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out -of -date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- recognising the intrinsic character and beauty of the countryside
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation)
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Take account of the different roles and characters of different areas, promoting the vitality of urban areas, recognising the intrinsic character and beauty of the countryside and support thriving rural communities.

On Specific issues it advises:

Promoting sustainable transport

- Safe and suitable access to the site can be achieved for all people
- Development should be located and designed (where practical) to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities.
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians
- Consider the needs of people with disabilities by all modes of transport.

Delivering a Wide choice of High Quality Homes

- Housing applications should be considered in the context of the presumption in favour of sustainable development.
- LPA's should identify land for 5 years housing supply plus 5% (20% if there is a history of under delivery). In the absence of a 5 year supply housing policies should be considered to be out of date.
- deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and enhancing the natural environment

- Encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value
- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority (HA) - No objection, subject to conditions</p> <p>The revised site access drawing, shown on ADC Drawing No. ADC1481/001 Rev. A illustrates a 5.50m wide access with 6m kerbed radii, pedestrian crossing points with tactile paving and 2.4 x 43m visibility splays. Mere Lane is also proposed to be widened to 5.50m along the site frontage and a 2.0m</p>	<p>Noted and conditions can be applied as per the comments made.</p>

wide footway is shown to the east of the carriageway, which ties in with the existing footway on Mere Lane.

The proposal to relocate the existing 30/national speed limit roundels to the north of the site access, and in this instance as street lighting is already present along the length of Mere Lane, the CHA is satisfied the speed limit can be relocated by virtue of street lighting and without the need for a Traffic Regulation Order.

While the proposed site access is in close proximity to the two accesses as part of the development to the west, in this instance the HA considers that due to the low number of dwellings served by the western junctions, and the likelihood of these generating vehicular trips between the eastern and western accesses is low that the proposals are acceptable in this instance.

Off-Site Implications

The HA have checked the PICADY files which were submitted by the applicant and confirms that the results are acceptable. These assessed the following junctions:

- A607 Melton Road/ Mere Road junction
- A607 Melton Road North/ High Street/ A607 Melton Road South/ Goadby Road

Based on the assessments undertaken by the applicant, if this individual application was to be permitted by the LPA taking into account 2022 base + this development traffic alone, operation of the junctions would still be well within capacity at 2022, with little impact on queueing or delays.

The HA is aware that vehicle speeds are in excess of the mandatory 20mph speed limit in force outside of the village primary school and currently there is no school crossing patrol in operation. As there would be an increase in vehicular and pedestrian traffic outside the school as a result of the development, the CHA would advise a contribution towards improving facilities within the vicinity of the school. The CHA has also been in discussion with the local community regarding transport issues outside the school over the last few years. Contributions have been advised by the CHA from other recent housing developments within the village as part of the S106 agreement.

Transport Sustainability

A Travel Plan has been submitted for the development and the CHA is satisfied this meets the minimum requirements. The applicants will be required to register the development site and Travel Plan with www.starsfor.org and contribute a £6,000 STARS For monitoring fee.

Other Observations that affect the highway network which in the view of the Local Highway Authority

cannot be considered “severe” in accordance with Paragraph 32 of the NPPF, but which may impact on the amenity of the local community. The Local Planning Authority is advised to consider if these are material and the relative weight which that they can give in planning terms to these amenity issues in their decision making processes:

School Transport

Please be advised that there are likely to be school transport implications arising from this site and to refer to the Education Authority’s response on this matter.

Cumulative Impact Assessment

Guidance provided in ‘Travel Plans, Transport Assessments and Transport Statements’ states that:

“It is important to give appropriate consideration to the cumulative impacts arising from other committed development (i.e. development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next three years). At the decision-taking stage this may require the developer to carry out an assessment of the impact of those adopted Local Plan allocations which have the potential to impact on the same sections of transport network as well as other relevant local sites benefitting from as yet unimplemented planning approval.”

Currently the following sites have been approved by the LPA and can be classed as committed development within Waltham:

- 14/00136/OUT: Land to the north of Hall Farm – 8 dwellings
- 14/00777/FUL: Land behind 38-48 High Street – 29 dwellings(Allocated as WAL 1 within the LPA’s draft Local Plan)
- 15/01011/OUT: Field 1357, Melton Road – 45 dwellings (Allocated as WAL 2 within the LPA’s draft Local Plan along with 16/00847/OUT below)

In addition to these developments, the following applications are currently live and awaiting determination by the LPA.

- 16/00793/OUT: Bescaby Lane – 45 dwellings (not allocated within the LPA’s Draft Local Plan)
- 16/00847/OUT: Fair Farm, Melton Road – 60 dwellings (allocated as WAL 2 within the LPA’s Draft Local Plan with 15/01011/OUT above)
- 16/00971/OUT: Mill Lane - 124 dwellings (allocated as a reserve site WAL 3 within the LPA’s Draft Local Plan)
- This application: Land off Mere Road – 99 dwellings (not allocated within the LPA’s Draft Local Plan)

The applicants of application ref 16/00971/OUT at

<p>their discretion provided a TA Addendum to understand the potential cumulative impact on the local highway network should their planning application be approved alongside two of the other live applications in Waltham (16/00847/OUT and 16/00793/OUT above). Based on cumulative assessment undertaken by the applicants for that site, the CHA considers there is sufficient capacity to accommodate this current development in addition to those above. However, the CHA would be willing to take further advice from the LPA on the likelihood of applications being granted consent which could justify further cumulative impact assessment.</p>	
<p>Leicestershire County Council Ecology The Ecological Mitigation Strategy (Ramm Sanderson, April 2017) addresses the concerns with regard to the presence of Greater Burdock on site and Great Crested Newts. Additionally, recommendations of the report have been reflected in an updated masterplan (Drawing (01)100 Rev. 1). The only point is that a 5m ecological buffer can be accommodated into the design of the development or appropriate planning obligations are in place.</p> <p>Various conditions will be imposed:-</p> <ul style="list-style-type: none"> • Prior to the commencement of the development a Biodiversity Management Plan should be submitted and approved by the LPA. This should cover the management of the pond, surrounding area and the green corridors. • The recommendations in section 6 of the Preliminary Ecological Appraisal (RammSanderson, August 2016) should be followed. • All works must be completed in accordance with the Ecological Mitigation Strategy (RammSanderson, April 2017). If works do not commence by Spring 2018, updated GCN may be required to ensure that the mitigation strategy is still appropriate. • As there was potential for badgers on site an updated badger survey should be completed and submitted either in support of the reserved matters application or prior to the commencement of the development, whichever is soonest after August 2018 (2 years since the last survey). 	<p>Noted and conditions can be applied.</p>
<p>Lead Leicestershire Flood Authority As the land ownership concerns have been addressed with the applicant agreeing to install appropriate drainage there is no objection, subject to conditions.</p>	<p>Noted and conditions can be applied as suggested.</p>
<p>Leicestershire County Council Archaeology The submitted Archaeological Trial Trenching Report (Allen Archaeology report AAL2017041) confirms that archaeological remains of local and regional significance are present within the western part of the application site, including evidence of Early-Middle Iron Age iron production and crop cultivation. These archaeological remains are worthy of further investigation and recording prior to ground disturbance associated with the proposed</p>	<p>Noted and conditions can be applied as recommended.</p>

development.

The development proposals include works (e.g. foundations, services, road construction, water attenuation, landscaping) that will impact upon archaeological remains. In consequence, the Local Planning Authority should require the developer to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance (NPPF Section 12, paragraph 141).

To ensure that any archaeological remains present are dealt with appropriately the applicant should provide for an appropriate level of archaeological investigation and recording. This should consist of a programme of archaeological work to be conducted prior to commencement of the proposed groundworks associated with the development. It should include an archaeological soil strip of the western part of the development area; any exposed archaeological remains should then be appropriately investigated and recorded.

A contingency provision for recording and excavation of archaeological remains of greater extent, complexity or significance than currently envisaged should be made, to the satisfaction of your authority in conjunction with your archaeological advisors in this department.

It is therefore recommended that any planning permission be granted subject to the following planning conditions, to safeguard any important archaeological remains potentially present:

No development shall commence until a programme of archaeological mitigation work (archaeological excavation) has been detailed within a Written Scheme of Investigation (WSI), submitted to and approved by the Local Planning Authority in writing. The WSI shall include a statement of significance and research objectives, and:

- The programme and methodology of site investigation and recording, with consideration of appropriate analytical methods to be utilised;
- A detailed environmental sampling strategy, linked to the site research objectives and where appropriate informed by previous work (i.e. any previous archaeological evaluation or investigation of this site or in the vicinity);
- The programme for public outreach and dissemination;
- The programme for post-investigation assessment and subsequent analysis;
- Provision for publication, dissemination and deposition of resulting material in an appropriate archive repository; and
- Nomination of competent person(s) or organisation(s) to undertake the agreed work.

<p>For land included within the WSI, no demolition, development or related ground disturbance shall take place other than in accordance with the agreed WSI.</p> <p>REASON: To ensure satisfactory and proportionate archaeological investigation and recording of the significance of any heritage assets impacted upon by the development proposal prior to its loss, in accordance with local and national planning policy.</p> <p>The programme of archaeological site investigation, subsequent analysis, publication, dissemination and deposition of resulting material in an appropriate archive repository shall be completed within 12 months of the start of development works, or in full accordance with the methodology and timetable detailed within the approved WSI.</p> <p>REASON: To make the archaeological evidence and any archive generated publically accessible, in accordance with local and national planning policy.</p> <p>Recommended Informative Notes also recommended and will be included.</p> <ul style="list-style-type: none"> - The applicant must obtain a suitable Written Scheme of Investigation (WSI) for the archaeological investigation from person(s) and/or organisation(s) acceptable to the Local Planning Authority. - The WSI shall comply with relevant Chartered Institute for Archaeologists "Standards" and "Code of Practice", and Historic England's "Management of Research Projects in the Historic Environment" (MoRPHE). - The WSI shall include a suitable indication of arrangements for the implementation of the archaeological work and the proposed timetable for the development. - The LCC Historic and Natural Environment Team (HNET), as advisors to the Local Planning Authority, will monitor the archaeological work to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the Local Planning Authority. 	
<p>Severn Trent Water: No objections</p> <p>Foul is proposed to connect into the public sewer, which would require a section 106 sewer connection approval.</p> <p>Surface water to connect into the public sewer, which would require a section 106 sewer connection approval.</p>	<p>Noted – please also see item 3 of this agenda providing more detail on water supply connections and sewerage capacity.</p>
<p>Western Power Distribution</p> <p>Budget costs in Waltham have been provided and the number to date will be catered by reinforcing the electricity network locally in Melton and Waltham.</p>	<p>Noted – please also see item 3 of this agenda providing more detail on electricity supply.</p>

<p>Western Power have a statutory duty under our operating licence to provide adequate connections for existing and future customers. The only potential downside would be if a new development required major reinforcement to the network then they would be expected to fund it.</p>	
<p>Parish Council:</p> <p>1. It is recognised that the provision of new housing helps to support existing community facilities such as Waltham Primary School, Village Hall, shops, etc. and that it can add to the vitality of the Parish and help to achieve a thriving community. However, these benefits are strongly outweighed by the negative impacts on the villagers. This proposal for a housing estate of 99 dwellings. This is out-of-scale and out-of-character with the conservation village of Waltham on the Wolds. The SHLAA report commented that whilst the site was potentially suitable for development only one third of the proposed units should be approved.</p> <p>2. The need for more houses in the future has been acknowledged. Indeed, we have responded to the recent Melton Local Plan consultation to agree the proposed number of new dwellings required through to 2036. Parishioners generally supported this action at Neighbourhood Plan consultation sessions in November. The village is already set for a 29% growth since 2011, based on existing builds and permissions. If approved, this proposal would exceed the requirement in the Pre-submission Local Plan by 79 dwellings (possibly more dependent upon the outcome of other planning applications). Therefore we see no need for a further development of this size. The Housing Needs Assessment produced by the applicant concludes that the net requirement in Waltham for market and affordable housing will be small. The document also states that the data demonstrates the need for small numbers of affordable and market housing (in Waltham) on an annual basis - not a large-scale development of 99 dwellings.</p> <p>3. The proposal would represent over-development of the site, which would be out of keeping with the rest of the village. Such development would create an adverse view of the village when entering from the Grantham Road (A607).</p> <p>4. The housing estate would not contribute to the 'sense of place' nor respond to local character and history, and reflect the identity of local surroundings. It would therefore be contrary to the requirements of Para. 58 of the NPPF.</p>	<p>Noted but the SHLAA submission is only an indication where the housing requirements are only a minimum. The site is some distance from the conservation area of Waltham and separated by intervening development. It would not be physically affect the Conservation Area nor disrupt it in terms of key views etc.</p> <p>The site occupies and 'edge of settlement' location into which views are unconstrained from an approach from the east. This is considered to be a factor that weighs against the granting of permission.</p> <p>The Pre Submission Local Plan is not considered to be sufficiently advanced to form the basis for decision making. The development must be considered under the NPPF presumption in favour of sustainable development, the benefits of the development being balanced against the harm, as identified by the policies of the NPPF.</p> <p>The application is in outline for 'up to' 99 dwellings. An illustrative layout demonstrates how such a quantity could be accommodated and does not infer over development.</p> <p>Para 58 advises that :</p> <p><i>“ Planning policies and decisions should aim to ensure that developments:</i></p> <ul style="list-style-type: none"> ● <i>will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;</i> ● <i>establish a strong sense of place, using streetscapes and buildings to create attractive</i>

<p>5. The proposed site is outside of the current village envelope (Saved Policy OS2). We believe that this saved policy is applicable now that the Borough has a housing supply in excess of 5 years and is not in conflict with the NPPF. The site is also outside of the ‘Limits to Development’ proposed in the emerging Neighbourhood Plan. Parishioners again supported this at the consultation sessions in November 2016. It is a special part of the surrounding green fields so important to people in the village.</p> <p>6. Our vision for the Parish over the next 20 years is “thriving, vibrant communities with a strong sense of place and individuality defined by fine buildings, community spirit and set in unspoilt rural surroundings”. The social sustainability of the proposed development is doubtful. The total size of the housing estate, combined with the distance from the village centre will work against effective integration into our community. It will be isolated and have a very negative impact on that sense of place.</p> <p>7. We fully support the concerns of Waltham Primary School as expressed in its consultation responses in respect of this and other applications.</p> <p>8. Public transport to and from the village is poor (infrequent, limited hours and not synchronised with national transport) so cars are the main mode of transport, adding to greenhouse gas emissions and traffic congestion in local towns. At the 2011</p>	<p><i>and comfortable places to live, work and visit;</i></p> <ul style="list-style-type: none"> ● <i>optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;</i> ● <i>respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;</i> ● <i>create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and</i> ● <i>are visually attractive</i> <p>Full details have yet to be provided where this argument can be furthered. In addition the approved development adjacent allows the development site to ‘fit in’ with the village. The adjacent development is more modern in its character and the site is separated from the historic core of the village which is recognised as having a character and appearance of value and is a Conservation Area designation as a result.</p> <p>Despite being recognised as having a five year supply of housing, this is not a minimum and therefore unless there is technical reason not to object to the proposal it will be difficult to resist. The reliance on Policy OS2 is considered to be undermined by para 215 of the NPPF as it is a policy ‘out of date’ owing to conflict with the NPPF (i.e it is a policy which constrains housing supply which is at odds with an important strand of the NPPF which is to “significantly boost” housing supply.</p> <p>Weight to the neighbourhood plan is very limited as it has not been submitted nor ‘made’ as part of the development plan process. It is not considered that the location of the development renders it isolated and unable to integrate, and as such at odds with the vision expressed (please see below for further detail on the Neighbourhood Plan).</p> <p>Noted – see also item 3 of this agenda regarding the capability of the School to expand and the costs associated with such approaches</p> <p>The village benefits from reasonable public transport and overall is regarded as a sustainable village with key facilities.</p>
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<p>Census, only 3% of the commuting population used public transport to journey to their place of work. Although classed as a 'sustainable' village, the aspect of transport is not sustainable in Waltham.</p>	
<p>Developer Contributions: s106</p> <p>Highways</p> <p>1) To comply with Government guidance in NPPF the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:</p> <p>a) Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).</p> <p>b) 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £360.00 per pass).</p> <p>c) STARS for (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000.</p> <p>2) Details of the routeing of construction traffic, to be approved by the Local Planning Authority in consultation with the Highway Authority, should be included in a S106 legal agreement. During the period of construction, all traffic to and from the site shall use the agreed route at all times unless otherwise agreed in writing by the LPA.</p> <p>3) A contribution of £30,000 towards a scheme to reduce vehicle speeds and improve pedestrian crossing facilities on the A607 within the vicinity of Waltham on the Wolds Primary School.</p> <p>Waste - The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of £8,183 (to the nearest pound).</p> <p>Education - The LEA have advised that the primary school is capable of expansion to accommodate the additional demand created by the development but the works involved, and there exact cost, would be dependent upon the total number of houses approved.</p> <p>Similarly, whilst capacity exists in the secondary sector at present for 58 houses, this would not cater for all developments and contributions would be required if this figure was exceeded.</p>	<p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p> <p>It is considered that the contributions requested are justified and necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contributions are to be used for the purposes of highway safety and providing the additional capacity at the relevant school and similarly waste facilities.</p> <p>These contributions are is considered fair and reasonable in scale and kind to the proposed scale of development and is in accordance with the thresholds identified in the adopted policies and to meet the additional demands on the education infrastructure which would arise due to this proposed development. and are acceptable within CIL Regulation 122 terms as related to planning, proportionate and reasonable in scale</p>

SEE ITEM 3 OF THIS AGENDA FOR FULL DETAILS.

NHS services

The above development is proposing 45 dwellings which, based on the average of 2.4 people per dwelling for the Melton Borough Council area, would result in an increase in patient population of 108.

The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.

Consulting room GP

Proposed population 108
Access rate 5260 per 1000 patients
Anticipated annual contacts $0.108 \times 5260 = 568$

Assume 100% patient use of room
568

Assume surgery open 50 weeks per year $568/50 = 11.4$

Appointment duration 15 mins
Patient appointment time per week $11.4 \times 15/60 = 2.8$ hrs per week

Treatment room Practice Nurse

Proposed population 108
Access rate 5260 per 1000 patients
Anticipated annual contacts $0.108 \times 5260 = 568$

Assume 100% patient use of room $568 \times 20\% = 113.6$

Assume surgery open 50 weeks per year
 $113.6/50 = 2.272$

Appointment duration 20 mins
Patient appointment time per week $2.272 \times 20/60 = 0.8$ hrs per week

Therefore an increase in population of 108 in the Melton Borough Council area will place extra pressure on existing provisions, for example- extra appointments requires additional consulting hours (as demonstrated in the calculations above.) This in turn impacts on premises, with extra consulting/treatment room requirements.

Furthermore, although this development proposal is for 99 dwellings, other developments have been submitted for Waltham on the Wolds. If further houses are built, this would result in an increase in population of approx. 382, requiring an additional 10.0 hours of GP patient time and 2.7 hours of

practice nurse treatment time per week on top of the figures quoted in the table above.

Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity.

As such, although The Welby Practice (which has a branch surgery at Waltham on the Wolds) is the most likely to be affected by the new development, The Stackyard Surgery may also be affected.

This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.

Of the practices covering the development in Waltham on the Wolds, The Welby Practice and The Stackyard Surgery currently have 10 patients per square meter and 7 patients per square meter retrospectively, and the growth in area population as a result of this development would increase these figures. Experience has shown that as practices approach the 15 patients per square meter threshold they typically experience difficulties around their premises and clinical resources.

To mitigate this, the s106 funding would go towards The Welby Practice's branch surgery at Waltham on the Wolds, where they require funding to upgrade the existing clinical rooms and redevelop a kitchen area into a clinical space in order to cope with the increase in patient demand. The site also requires work in order to make it more accessible under Disability Discrimination Act guidelines (e.g. - low threshold doors and a disabled car parking space). As The Welby Practice is a dispensing practice, in order to cope with the additional demand the population increase would result in, they would need to upgrade their dispensaries. To do this, the practice has proposed developing their Waltham on the Wolds branch into a dispensing hub for all of their sites, which would entail an internal reconfiguration of the building to increase its dispensary and storage capacity.

All of this would be subject to a full business case and approval by NHS England, with any proposed expenditure taking place when the s106 funds are released by the developer as per the agreement and within the agreed timescale for expenditure of the funds. Details calculation have been provided which show the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the

<p>required area and furnishings, a total cost of £185 per patient is determined.</p> <p>The contribution requested for the development at Waltham on the Wolds is £43,956.00 (£444 x 99 dwellings.)</p>	
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Representations:

Site notices were posted, an article was put in the Melton Times and neighbouring properties consulted. As a result **22 letters of objection have been received and one petition with 87 signatures (that may be included in the 22 above)** the representations are detailed below:

Representations	Assessment of Head of Regulatory Services
<p>Highway Safety Excessive traffic onto A607</p> <p>Noise pollution from new properties and roads..</p> <p>This would pave the way for west side of A607 to be built on</p> <p>Roads not enough facilities in village for proposed homes</p>	<p>The Highways Authority t have confirmed that the work that has been done by the applicants is sufficient to not have a severe impact upon the highway in line with the NPPF.</p> <p>Each application is determined on its individual merits.</p>
<p>Village Character Housing growth too large and will turn Waltham into a small town</p> <p>All applications, and the numbers involved in this one in particular, would have major implications for the infrastructure of the village and change its character completely</p> <p>Village is being ‘swamped’ by modern housing</p>	<p>It has been deemed that the character of the development when observing the adjacent 16/00093/REM approved application will ‘be within the confines of the village. The layout and overall design of the scheme is yet to be decided but will still warrant the high quality design as required in the NPPF and local planning policy.</p> <p>An illustrative masterplan has been developed by the agent following consideration of the constraints and opportunities identified in the accompanying technical reports.</p> <p>The indicative masterplan makes provision for adequate parking and public open space in accordance with the Council’s standards to achieve a well-designed development meeting the needs of future occupiers. It also shows adequate scope to relate satisfactorily to existing houses, in terms of distance separation etc</p> <p>Waltham as a whole displays housing of varying character including more modern layouts in parts especially in proximity to this site.</p> <p>This site is some distance and separated from the historic core and main part of the Conservation Area and would also be viewed and experienced separately from its surroundings so as to avoid creating a stark contrast, or visually conflict; a clear appreciation of its character would only be obtained if entering the development itself.</p> <p>Issues of the cumulative scale of development and location of the site in relation to the village are addressed in greater detail below.</p>

	Any subsequent reserved matters application will require a high standard of design that respects the character of the area and the village as a whole. It will request sensitively chosen materials and landscaping to help the development assimilate into the village well.
Ecology Loss of land for wildlife.	The application has been supported by relevant ecology surveys which have been deemed acceptable by the Leicestershire County Council Ecology team. Suitable conditions are also to be imposed.
Planning Policy If the local plan is accepted, and if other planning applications are taken into consideration, it is not in compliance with the number of dwellings allocated to Waltham on the Wolds.	The full planning position is explained below but in summary, the figures are not a minimum and until the local plan is adopted in full it cannot carry full weight.
Residential Amenity The residential development will overlook our property	The application is outline at this stage and therefore considerations of amenity are not for consideration.
Infrastructure The local infrastructure including roads, drainage, school facilities and communication is not adequate for the impact of such a large development, especially when combined with the other proposed developments in the area.	Please see above regarding the capacity and safety of the highway network. Item 3 of this agenda addresses the questions regarding the capacity of the school, water supply and sewerage network and how they may be adapted to accommodate growth proposed.
Housing numbers Waltham has an existing establishment of some 450 homes. Acknowledging the county's requirement for extra capacity, a need for a further 90 or so houses has been identified and therefore there is no justification for more.	<p>The draft Melton Local Plan can be afforded only limited weight due to its stage in the process. Decisions therefore need to rely on other planning policy, namely the NPPF which looks to assess each application separately based on its own merits. The parish plan (Neighbourhood Plan) is unfortunately not an approved planning policy and there is no statutory duty to observe this to determine this application.</p> <p>Between 2011-2016 512 new homes were built, based upon the requirements of the Strategic Housing Market Assessments 1225 were needed (245 per year) – a deficit of 713.. The need for new housing is well established and was reconfirmed by the Borough Council's Housing Needs Study which was published in August 2016. The area has undelivered housing in recent years and a significant shortfall has arisen. The LPA have conducted extensive research and shown that affordable housing is needed in all developments this application should help to provide this.</p>
There is a lack of school places and public transport options.	The planning application for consideration will contribute towards the school to enable further school places for the new residents. The site falls within the catchment area of Waltham on the Wolds C of E Primary School and Belvoir High School at secondary level.. The LEA

	<p>advise that the schools can be expanded to accommodate the demand from this development whether in isolation or if coinciding with other developments. Please see item 3 of this agenda for these details.</p> <p>There is a bus service that serves the village and it is hoped that with more residents will hopefully generate in more income and subsequently a better bus service.</p> <p>The proposal does not generate facilities that will necessarily fall to the PC to maintain. The new houses would contribute to Parish Council precepts in the same manner as existing.</p> <p>There is no evidence to demonstrate this consequence.</p>
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Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
<p>Landscape Impact The development does not compliment the landscape that it is proposed to be situated in.</p>	<p>This has been closely assessed and reference is taken from the Melton Borough Areas of Separation, Settlement fringe sensitivity and local green space study September 2015</p> <p>This states that in LCZ 2 Any development should achieve a gradation of sensitivity to the outer edges and contribute to a positive gateway/approach to the settlement from the north and a more porous landscape edge.</p> <p>It is considered that this could be achieved in any subsequent reserved matters application.</p>
<p>Neighbourhood Plan Concern that development should not go ahead until the Neighbourhood Plan is complete.</p> <p>Concern that development should not go ahead until the Neighbourhood Plan is complete.</p> <p>The Waltham Neighbourhood Plan is still in development and recently completed its ‘Reg 16’ consultation exercise. The parish council and currently deciding whether to proceed to Examination and, subsequently, Referendum.</p> <p>The site lies outside the Village Envelope Identified by the Neighbourhood Plan and is therefore contrary to Policy S1 which states that:</p> <p><i>“Development proposals within the Neighbourhood Plan area will be supported on sites within the Limits to Development as identified in Figures 3 and 4 (overleaf) where they comply with the policies of this</i></p>	<p>National Planning Policy Guidance states that :</p> <p><i>a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and</i></p> <p><i>b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”</i></p> <p>It goes on to advise that “ <i>Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period</i>”</p> <p>Where refusal of planning applications are made on the grounds of prematurity the authority needs to indicate clearly how planning permission</p>

<p><i>Neighbourhood Plan and subject to design and amenity considerations. Land outside the defined Limits to Development will be treated as open countryside, where development will be carefully controlled in line with local and national strategic planning policies". (Exceptions are also listed which are not applicable to this proposal).</i></p> <p>Policy H1 states: <i>Having regard to the number of dwellings already constructed plus existing sites with planning permission and allowing for allocated draft Local Plan sites within the Limits to Development, the Parish has exceeded its housing requirement over the Plan period. Therefore, until such a time as there is an increase in housing need across Melton Borough or unless there is a failure to deliver the existing commitments, further housing development in the Parish will be restricted to Windfall development in line with Policy H8.</i></p> <p>The proposal is contrary to Policy ENV12: Protection of Important Views, in which views in to Waltham Southwest from Bescaby Lane: a good view of the village with the characteristic Church steeple across pasture with fine ridge and furrow earthworks have been specifically identified.</p> <p><i>The Policy requires that "Development proposals should respect the open views and vistas"</i></p>	<p>would prejudice the outcome of the plan-making process.</p> <p>It is considered that the NP is not in the position to which the National Guidance advises 'prematurity' concerns can be applied, and therefore not considered that a refusal could be reasoned on the grounds of prematurity in light of the above factors.</p> <p>However the Neighbourhood Plan is a material consideration that should be taken account in determining the application, alongside all others. It is considered that its weight should be 'limited' . PLEASE SEE ITEM 3 OF THIS AGENDA FOR GREATER DETAIL.</p> <p>The conflict with the Neighbourhood Plan is a factor that is considered weighs against the granting of permission.</p>
<p>Application of Planning Policy The NPPF recognises that housing should meet the needs of present and future generations (para 10). It continues to recognise the importance for local planning authorities to understand the housing requirements of their area (para 28) by ensuring that the scale and mix of housing meets the needs of the local population. This is further expanded in para 110-113, in seeking to ensure that housing mix meets local housing need.</p> <p>The NPPF seeks to boost the economy and house supply to meet local housing needs.</p>	<p>Waltham is considered to perform well in sustainability terms owing to its community facilities and transport links. Recent decisions made by the Council and on appeal by the Secretary of State have described it as a sustainable location for housing for these reasons and there have been no material changes to this position in the interim. It is therefore considered that it could be impossible to refuse the application of the basis of the sustainability of the location.</p> <p>However, sustainability also takes into account economic and environmental factors and it is recognised that the site is 'greenfield' without a presumption for development. This is considered to weigh against the proposal. However, the land is not identified by any study or policy as important to the setting of Waltham nor is it designated as important countryside, for example through National Park, AONB or any other landscape designation giving it 'special' status. Accordingly it does not meet the types of location that the NPPF requires to be protected and accordingly only limited weight can be afforded to this aspect.</p> <p>5 year land supply issues:</p>

	<p>The application is required to be considered against the Local Plan and other material considerations. The NPPF is a material consideration of some significance because of its commitment to boost housing growth.</p> <p>The NPPF advises that local housing policies will be considered out of date where the Council cannot demonstrate a 5 year land supply and where proposals promote sustainable development objectives it should be supported.</p> <p>The Council's most recent analysis shows that there is the provision if a 5 year land supply and as such the relevant housing policies are applicable.</p> <p>However, the 1999 Melton Local Plan is considered to be out of date and as such, under para. 215 of the NPPF can only be given limited weight.</p> <p>This means that the application must be considered under the 'presumption in favour of sustainable development' as set out in para 14 which requires harm to be balanced against benefits and refusal only where "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".</p> <p>Furthermore, a recent appeal decision (APP/Y2430/W/16/3154683) in Harby made clear that 'a supply of 5 years (or more) should not be regarded as maximum.' Therefore any development for housing must be taken as a whole with an assessment of other factors such as access, landscape and other factors..."</p>
<p>The (new) Melton Local Plan – Pre submission version.</p> <p>The Pre Submission (including 'Focussed Changes') version of the Local Plan was submitted to the Secretary of State for Examination on 4th October 2017.</p> <p>The NPPF advises that: From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> ● the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); ● the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and 	<p>Whilst the Local Plan has progressed by advancing to Pre-submission stage, it remains in preparation and as such can be afforded only limited weight. (PLEASE SEE ITEM 3 OF THIS AGENDA FOR GREATER DETAIL). This is also reduced by the fact that the consultation received have not yet been considered and addressed. We therefore need to consider the application in accordance with paragraph 215 of the NPPF which states due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).</p> <p>It is therefore considered that it can attract weight but this is limited at this stage.</p> <p>The site is not identified for housing purposes in</p>

<ul style="list-style-type: none"> • the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). <p>The Local Plan identifies Waltham as a ‘service centre’ in respect of which, under Policy SS3, development would be acceptable, subject to satisfying a range of criteria specified.</p>	<p>the Emerging Local Plan.</p> <p>The conflict with the Local Plan is a factor that is considered weighs against the granting of permission.</p>
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Conclusion

It is considered that the application presents a balance of competing objectives and the Committee is invited to reconcile these in reaching its conclusion.

The Borough is deficient in terms of housing supply more generally and this would be partly addressed by the application, Affordable housing provision remains one of the Council’s key priorities. This application presents the policy position of 37% of affordable units which is 17 out of the 45.

Waltham is considered to be a sustainable location for housing having access to various facilities, primary education, local shops, and a regular bus services and limited distances to employment opportunities and this has been established in previous decisions.

It is considered that balanced against the positive elements are the site specific concerns raised in representations, particularly the development of the site from its green field state and impact on the character of the village arising from the scale and nature of the proposal and the landscape setting of Waltham when viewed/approached from the east.

The Local Highway Authority do not consider that the proposal would lead to severe harm to highway safety either in isolation or when considered alongside permissions already granted and other proposals . In terms of character of the area, the submitted application is in outline stage only and the applicant has undertaken a detailed appraisal of the character of the settlement including a landscape assessment. The site is not covered by any specific designation however the proximity to the Conservation Area is noted.

Full details of appearance, layout and scale will be a matter for subsequent reserved matters applications where matters of design and impact can be fully assessed.

Contributions to provide additional capacity at the nearest Civic Amenity site and library are of a tariffed style request that will be ‘pooled’ under CIL Regulation 123 (3) whereby no more than five contributions can be pooled for any single infrastructure project. As stated above the request for improvements to the civic amenity site and library has been allocated to a specific projects that will increase the capacity at the site.

The education contribution would be used for the provision, improvement, remodelling or enhancement of education facilities at schools in the locality of the development which the residents of the development would usually be expected to attend at both Primary and Secondary level. They are therefore all considered appropriate for inclusion in a Section 106 agreement.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from this proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issue is considered to be development of a greenfield site.

The issue of development a greenfield site is considered to be of limited harm, bearing in mind its location and the absence of any identification that it is of particular landscape value, and conflict with Local and Neighbourhood Plans have limited weight as a consequence of their state of advancement and circumstances surrounding them.

Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that permission can be granted.

Recommendation: PERMIT, subject to:-

(a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:

- (i) Contribution for the improvement to civic amenity sites.
- (ii) Contribution for the improvement to libraries.
- (iii) Contribution to the local Primary School and Secondary school capacity (see note below)
- (iv) Contribution to sustainable transport options
- (v) Contribution to maintenance of open space
- (vi) 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
- (vii) Contribution to Health Services capacity as set out in the report.

(NB with regard to (iii) above, the contribution is dependant upon the results of the feasibility work being carried out by the Local Education Authority (see item 3 of this agenda) and the outcomes of other applications. Any decision should be subject to the result of this work and the agreement of the applicant to the contribution that arises as a result).

(b) The following conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site until approval of the details of the "external appearance of the building(s) and landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
3. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. 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.
5. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.
6. 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.
7. 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.
8. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.
9. 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

10. The development shall be carried out in accordance with the measures set out in the Preliminary Ecological Assessment, Preliminary Bat Roost Assessment, Great Crested Newt Survey, Reptile Survey, Tree Survey and Arboricultural Report submitted as part of the application.
11. No demolition/development shall place/commence until a programme of archaeological mitigation work (archaeological excavation) has been detailed within a Written Scheme of Investigation (WSI), submitted to and approved by the Local Planning Authority in writing. The WSI shall include a statement of significance and research objectives, and:
 - The programme and methodology of site investigation and recording, with consideration of appropriate analytical methods to be utilised;
 - A detailed environmental sampling strategy, linked to the site research objectives and where appropriate informed by previous work (i.e. any previous archaeological evaluation or investigation of this site or in the vicinity);
 - The programme for public outreach and dissemination;
 - The programme for post-investigation assessment and subsequent analysis;
 - Provision for publication, dissemination and deposition of resulting material in an appropriate archive repository; and
 - Nomination of competent person(s) or organisation(s) to undertake the agreed work.

For land and/or structures included within the WSI, no demolition, development or related ground disturbance shall take place other than in accordance with the agreed WSI.

12. The programme of archaeological site investigation, subsequent analysis, publication, dissemination and deposition of resulting material in an appropriate archive repository shall be completed within 12 months of the start of development works, or in full accordance with the methodology and timetable detailed within the approved WSI.
13. Details of the routing of construction traffic, to be approved by the Local Planning Authority in consultation with the Highway Authority, should be included in a S106 legal agreement. During the period of construction, all traffic to and from the site shall use the agreed route at all times unless otherwise agreed in writing by the LPA.
14. The site shall be served by a single point of vehicular access as shown generally on ADC Drawing No. ADC1481/001 Rev A, the full details of which shall first have been submitted to and approved by the LPA in consultation with the CHA before development commences. Notwithstanding the proposed design, all design matters shall be in accordance with the standards contained in the current County Council design guide and shall thereafter be permanently so maintained. Visibility splays shall be a minimum of 2.4 x 43 metres and nothing shall be allowed to grow above a height of 0.6 metres above ground level within these splays. The approved junction shall then be provided fully in accordance with the approved plans before any dwelling hereby permitted is first occupied.

NOTE: If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.

Reason: To ensure a satisfactory form of development and in the interests of highway safety.

15. Notwithstanding the details submitted, all details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing, signing and lining and visibility splays and be submitted for approval by the local Planning Authority in consultation with the Highway Authority before development commences.

NOTE: Your attention is drawn to the requirement contained in the Highway Authority's current design guide to provide Traffic Calming measures within the new development.

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

Reasons:

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
4. To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public, nature conservation or historical significance.
5. To provide a reasonable period for the replacement of any planting.
6. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site
7. 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 through the entire development construction phase.
8. To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.
9. To ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
10. To ensure that the habitats of protected species are not harmed by the development.
11. To ensure satisfactory and proportionate archaeological investigation and recording of the significance of any heritage assets impacted upon by the development proposal prior to its loss, in accordance with local and national planning policy.
12. To make the archaeological evidence and any archive generated publically accessible, in accordance with local and national planning policy.
13. In the interests of highway safety
14. To ensure a satisfactory form of development and in the interests of highway safety.
15. To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.
16. To ensure a satisfactory form of development and in the interests of highway safety.

Officer to contact: **Mr Glen Baker-Adams**

Date: 5th October 2017