

Reference: 10/00312/OUT

Date submitted: 27.04.2010

Applicant: Mr Brian McNulty - Ashwood Land And Property Limited

Location: The Old Clay Pit, Grantham Road, Bottesford

Proposal: Residential development of 54 dwellings including affordable housing, open space, attenuation pond, landscaping, access, roads and all other associated works on Grantham Road Bottesford.

Proposal :-

Outline planning permission is sought for the development of this 1.8ha site to the south of Grantham Road, for a residential development consisting of 54 dwellings (including affordable units), associated infrastructure and an area of open space and the excavation of balancing ponds for drainage. The site is roughly rectangular in shape, and is situated behind a mature boundary hedge and is a former clay pit that was filled with waste in 1982, and has been restored but become over-grown with scrub and saplings. The site is fairly flat, apart from the south side where the land falls away to the River Devon. The site lies adjacent to existing housing on Grantham Road (to the west of the site) but is surrounded on the remaining sides by farmland on the approach in to the settlement.

The application is in outline, with the access being considered at this time, although an illustrative plan submitted by the applicant shows a single point access on to Grantham Road, with all of the housing situated behind the mature hedge. A mix of dwellings is proposed, served from a spine road and three cul-de-sacs are shown, with an area of open space immediately to the south west of the housing.

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

Whilst in outline form with all matters apart from the access being 'reserved' for future consideration, the applicant has provided a comprehensive package of documents as follows:-

- A design and access statement
- A Visual Impact Assessment (of the landscape and the impact of the development)
- An Ecological Risk Appraisal and Scoping Report
- A Tree Constraints Report
- A Flood-risk Assessment
- A Drainage Assessment
- A Phase I & II Environmental Assessment
- A transport Assessment

The applicant has also submitted a Planning Statement that concludes the following:-

- The proposal is not an E.I.A development
- There is no planning history on the site
- That the proposal complies with National Policies P.P.S 1, P.P.S 3 and P.P.G 13
- The proposal complies with the strategic policies of the Regional Plan
- The development complies with Policies OS1, OS3, H7, H8 AND BE1
- The development complies with the Core Strategy
- It will assist in meeting 'brownfield' targets
- The development will not result in the coalescence of settlements (Bottesford and Easthorpe)

- Whilst the site is not in line with current local plan policies, this should not preclude its development, especially with the need for affordable housing and the sustainable nature of the site.
- The site performs well in sustainability terms as :-
 - There are no other brownfield sites in Bottesford
 - The site is well served by public transport
 - There are no infrastructure restrictions
 - There are no physical constraints on development
 - It relates well to existing development
 - Can be viably developed
 - Has a good mix of housing and will support local services
- The village is constrained with few available sites which will not deliver affordable housing
- No affordable sites have come forward in Bottesford and there is a recognised need
- A 'market' scheme that includes affordable housing is more likely to be developed
- The landfill proposals did not make provision for restoration and therefore the land is brownfield
- Extensive public consultation was carried out
- A recent appeal at Loughborough Road, Asfordby concluded that the Council did not have a 5 year land supply

Relevant History:-

The site gained planning permission in 1982 for the filling of the clay-pit with waste.

There is no recent planning history.

Planning Policies:-

PPS 1 – Delivering sustainable Development:- Requires planning permission to follow the plan-led process and to provide sustainable development and reduce climate change and the reliance on the private car.

PPS 3 - Housing: the planning system should deliver a flexible, responsive supply of land - which makes efficient and effective use of land, including re-use of previously-developed land. It requires Local Planning Authorities to identify a 5 year lands supply.

Where a 5 year supply can not be identified, it recommends that Local Planning Authorities should release proposals for new housing, providing they meet other planning concerns and are suitable sustainable locations.

It supports the efficient use of previously developed sites (brownfield). It promotes designs and layouts which make efficient and effective use of land, encouraging innovative approaches. Density of existing development should not dictate new housing. It emphasises the need for good quality design contributing to the distinctiveness of settlements and for new housing to contribute to a balanced housing mix meeting identified needs

PPS 7 - Sustainable Development in Rural Areas - states that many country towns and villages are of considerable historic and architectural value, or make an important contribution to local countryside character. Planning authorities should ensure that development respects and, where possible, enhances these particular qualities. It should also contribute to a sense of local identity and regional diversity and be of an appropriate design and scale for its location, having regard to the policies on design contained in PPS1 and supported in 'By Design'. Countryside should be protected from encroachment for the sake of its beauty.

PPS 9 – Biodiversity and Geological Conservation – It is a statutory duty under the Wildlife and Countryside Act to afford protection to species/habitat. Precautionary approach/refusal of permission in instances where insufficient information is provided to assess the above

PPG 13 - Transport: states that; 'to promote more sustainable patterns of development and make better use of previously developed land, the focus of additional housing should be existing town and cities'

PPS 25 – Planning and Flood-risk– Housing development should be provided follow a sequential approach with areas of lower-risk developed in preference to higher-risk sites.

Melton Local Plan (saved policies):

Policies OS1 and BE1 allow for development within Town Envelopes providing that:-

- the form, character and appearance of the settlement is not adversely affected;
- the form, size, scale, mass, materials and architectural detailing of the development is in keeping with its locality;
- the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity; and,
- satisfactory access and parking provision can be made available.

Policies OS2 – Restricts the types of development permitted in the Countryside

Policy C2 - allows for specific types of development in the countryside.

Policies C15 – Restricts development that would impact on the habitat of protected species

Policy H6 - residential development within village envelopes will be confined to small groups of dwellings, single plots or the change of use of existing buildings.

Melton LDF Core Strategy: seeks to focus development in Melton Mowbray with a small balance (20%) in the surrounding Borough, and with provision/contribution of 40% affordable housing from all developments, and expectations to produce mixed, integrated housing developments and meet local needs by addressing identified imbalances in housing stock in all locations. Identifies villages by virtue of a hierarchy reflecting their sustainability and, therefore, suitability for development and Bottesford is noted as a Category 1 village suitable for some growth

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Parish Council – Object on the following grounds:-</p> <ul style="list-style-type: none"> • Non-compliance with Melton Local Plan which is against ribbon development of this sort, and prefers infilling • Health hazards from dumped materials • Bore-holes drilled stopped at obstructions and avoids main areas of fill at centre of site • Primary school is full to capacity and extra children can not be accommodated • Affordable housing survey shows need for 22 dwelling inc 6 bungalows – development does not indicate bungalows • No footpath link to centre of village • Development is in flood-plain and will result in floodwater being moved elsewhere and flooding other property – weir sluice control should be automated 	<p>Noted</p> <p>The Local Plan directs development to the village envelope of larger settlements. Site outside village envelope.</p> <p>Report provided</p> <p>The Environment Agency are satisfied that appropriate survey undertaken.</p> <p>See LCC Education Department’s response.</p> <p>Appropriate level of affordable housing could be required – application is in ‘outline’ only and dwelling types are not for consideration at this stage. This could be controlled by condition.</p> <p>Would be a requirement</p> <p>Flood-risk/drainage assessments have been carried out and independently reviewed by the Environment Agency</p>

<ul style="list-style-type: none"> • Already problems with sewage and lack of water pressure in this area of village – report from Severn-Trent needed • 54 dwellings will increase noise in area. Development is close to A52 and railway and will be subject to noise • Will increase pressure for parking in town centre where traffic flow and parking already problematic • Out-of-keeping with area which is mostly bungalows – dev will be higher than surroundings • 8.5m high dwellings will impede the views of Belvoir castle and vale for dwellings opposite the site 	<p>Developers pay connection charges to responsible bodies to upgrade infrastructure</p> <p>Environmental health consultation has been carried out but not identified an unacceptably noisy environment.</p> <p>Noted - see objection from Highway Authority</p> <p>Noted, but application is in ‘outline’ only and dwelling types not for consideration at this stage</p> <p>There is no planning right to a view – not a material planning consideration</p>
<p>Ward Member (Cllr D. Wright) –</p> <p>Breach of the Village Envelope - This proposed development is outside Bottesford Village Envelope, and will create a significant precedent for other developers to use if this important boundary is breached. Also against MBC Planning Policy.</p> <p>- Effect on the local Primary school that is currently at capacity.</p> <p>- Flooding - Effect on properties at Easthorpe, Easthorpe View and the Manually operated sluice gate at Easthorpe Mill that is privately owned and operation is solely down to the presence of the owner.</p> <p>- Contaminated land fill site and</p> <p>- Highway Safety Access</p>	<p>Noted, these issues covered elsewhere in this report</p>
<p>Police Architectural Liaison - Whilst the proposed development is currently vacant land, there is no recorded crime at the site at present. However, there are levels of recorded crime in the village comprising of burglary, theft, damage to property and motor vehicles and theft of and from motor vehicles to name the most common offences reported.</p> <p>The development should contain adequate measures to limit opportunities for this behaviour through good design principles and Secured by Design physical measures (doors, windows etc).</p> <p>Regarding the indicative layout on page 11 of the Design & Access Statement, there are issues that need to be addressed if the scheme will be presented as a final layout in due course:</p>	<p>Noted</p> <p>Noted</p> <p>Subsequent reserved matters submission could address these issues</p>

<ul style="list-style-type: none"> • Avoid blank gables/additional gable windows • two courtyard areas at the rear of plots 5-9 and 20-24 have limited surveillance - these courtyards are gated and well lit • LAP/open space/play area and associated green areas do not appear to provide a safe environment for children to use. <p>Ee have an adopted S 106 Policy dealing with the requirements of housing growth and the impact on our service: £32,724. (£606 x £54 dwellings) requested. witha 10 year clause before any funding is returned to allow pooled contributions to take place to cover work required and kick start our expansion.</p>	<p>The location of the open space is not considered acceptable, however, the layout is indicative and not for approval at this stage.</p> <p>See commentary with regards to Section 106 contributions below.</p>
<p>LCC Archaeology - We have checked the site against the Leicestershire & Rutland Historic Environment Record (HER) and do not feel that any archaeological work is required as part of the scheme.</p> <p>The site has a low potential and as such below ground remains are unlikely to be affected by the works.</p>	<p>Noted.</p>
<p>LCC Ecology – We note from the ecological report that there is a pond on site that is to be destroyed. The report suggests that further survey of this pond, to establish the presence or otherwise of great crested newts should be completed. This survey should be completed at the optimum time of year and should be submitted with the details of any required mitigation.</p> <p>Whilst we are pleased to see that the applicant intends to retain many of the existing hedgerows throughout the site, we would recommend that they are not incorporated into residential curtilage, as they will be susceptible to loss over time. We would therefore recommend that a buffer is in place between the hedgerow and the development. This may be in the form of a path, road or public open space. In addition, we feel that the hedgerow between the LAP and southern most field is liable to be lost after the development.</p> <p>We feel that this development may help to create important habitat, particularly surrounding the proposed pond/wetland area. We would strongly recommend that this is designed to retain some water at all times throughout the year. To allow this to be of the greatest value for wildlife, we would recommend that a condition is forwarded to the applicant with any permission granted stating that details of landscaping and open space must be submitted with the full application and ecology should be considered within this.</p>	<p>Noted – further survey needed to establish possible presence of protected species. Permission should not be granted until statutory duty in relation to protected species is established</p> <p>Landscaping details would be a reserved matter.</p> <p>Noted (as above).</p>
<p>L.C.C Minerals - The application site is within a</p>	<p>That site is 'greenfield' is noted. Brownfield sites</p>

<p>mineral consultation area but in view of the previous extraction and backfilling that has taken place on the site and proximity to residential properties, it is not considered there is a need to safeguard minerals on or adjoining the site. With regard to the waste tipping that has previously taken place on the site the Council has no additional information on what materials were tipped than is contained in the application. However the site does not meet the definition of brownfield land because the land has been restored under the terms of a planning permission. Paragraph 4.2 of the Planning Statement is incorrect. The fact that the infilling was done in accordance with previous planning permissions requiring the site to be restored (refn. no. 1987/0657/06 & 1981/0636/06) mean that the land is greenfield. The site meets the description in the first bullet point of paragraph 6.13 of the Planning Statement, i.e. 'provision has been made for restoration under development control procedures' and is thus excluded from the definition of brownfield land.</p>	<p>should be released in advance of Greenfield sites.</p>
<p>Environment Agency- Investigation of site for Japanese Knotweed required prior to development. Recommends the imposition of conditions addressing:</p> <ul style="list-style-type: none"> • Full installation of flood report recommendations • ecological interests • contamination • finished floor levels • installation of surface water limitation based on SUDS • measure to prevent changes of levels within flood plain 	<p>Noted, these matters can all be controlled by means of a condition as recommended by the EA.</p> <p>The EA has independently reviewed the flood and contamination reports and is satisfied with their content and conclusions, prior to arriving at this recommendation.</p>
<p>MBC Policy & Performance- The site is situated outside the village envelope for Bottesford, in the open countryside, as identified in the Melton Local Plan. Policy OS2 restricts development in such locations, with a number of exceptions; the application proposal meets none of these criteria. The objective of policy OS2 is to restrict development in the open countryside to preserve the character and appearance of the countryside and prevent expansion of settlements. As such, the village envelopes are positioned to limit the expansion of the built environment into the open countryside whilst providing the capability of accommodating infill in villages. This aim continues to be reflected in the Core Strategy and national policy guidance. The current proposal seeks consent for a substantial residential development in the open countryside which would be contrary to these objectives. Furthermore, the Core Strategy, in continuing to implement national and regional policy at a local level, seeks to ensure new development is</p>	<p>That site is outside development limits is noted</p> <p>That site is not particularly sustainable is noted</p>

located where there is good access to jobs, health and community facilities, education, shops, leisure, sport and recreation facilities. The reliance on travel by car will also be reduced by locating development where it can be accessed by foot, bicycle or public transport. To this end about 80% of new housing will be located in Melton Mowbray as this offers the most sustainable approach to the broad location of development. The current proposal is for a large housing development which would be contrary to this aim being located away from the Melton Mowbray Sub-Regional Centre. Whilst Bottesford is classified as a Rural Centre the development strategy considers such locations only suitable for housing development within the existing built form of the village, with an exception for affordable dwellings which will meet local housing needs. In terms of its location within the village itself, the site is approximately 1km from the centre where the majority of services and facilities are located. This relatively remote location is likely to encourage use of the private motor vehicle to access the village centre.

PPS3 requires local authorities to demonstrate sufficient specific sites to deliver a supply of housing in the first five years, a five year land supply. This has been evidenced in the 2009 Annual Monitoring Report and the amount of dwellings with a reasonable prospect of being delivered in the next five years constitutes in excess of a 5 year supply. There is no significant undersupply of land in the Borough which would require the allocation of a site which does not accord with the spatial vision for the area and would undermine wider policy objectives. The application provides no information which challenges this supply but simply puts forward reasons why it should be included. The site was examined through the 2009 SHLAA process and it was determined to be non-developable. Work is currently being undertaken to complete the Report for 2010.

The applicant makes reference to the fact that the land is previously developed land; this is not the case. PPS3 provides a definition of such land and excludes "Land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures." Following mineral extraction on the site consent was granted by Leicestershire County Council in 1982 for tipping waste (81/0636); attached to this consent conditions require restoration of the site upon completion. Following a further

That there is no under-supply of land and therefore no need to release this site is noted

That site is Greenfield is noted

<p>consent in 1988 to utilise further capacity in the void (87/0657) restoration of the site was also required; enforcement action took place in 1990 as a result of non-compliance with this requirement. Not only is the land excluded from the definition of previously developed land for this reason but PPS3 also excludes land which “has blended into the landscape in the process of time”. The application site is also considered to meet this exception.</p> <p>Recent alterations to PPS3 have removed the minimum density requirements of 30 dwellings per hectare required previously; instead more emphasis is placed upon identifying the distinctive features that define the character of a particular local area. The indicative layout submitted with the application suggests a development of much greater density than the current properties in the vicinity.</p>	<p>That there is no longer a minimum density requirement is noted. Agree that proposal is a very urban form in relation to the open and spacious character of the surrounding development.</p>
<p>Developer Contributions-</p> <p>Waste - There will be no request for contributions for this application as the nearest CA site at Bottesford has sufficient capacity for a development of this size.</p> <p>Libraries - Based on the scale of this development in respect of additional users of the existing library facilities we would be looking for a pro rata contribution towards the costs of an enhanced programme of refurbishment and improvements to facilities including equipment and other library materials.</p> <p>As this is an outline application, it is considered that the terms of any legal agreement should set out the pro rata for each type of dwelling, in accordance with the above formulae. Therefore, it will cover the circumstances reflected in any subsequent detailed planning permission, if the final configuration should change from the above.</p> <p>Education- At the present time there is surplus capacity in the local secondary school. An education contribution is therefore not required for this sector. However please note that it is close to generating a claim which may affect future requests.</p> <p>However the local primary school is full and forecast to remain so. Consequently an education contribution of £156,803.04 is requested for Bottesford C of E Primary School. This equates to £2,903.76 per house with two or more bedrooms. If the configuration of the site should change, the requirement must be adjusted accordingly.</p>	<p>Noted – a section 106 agreement to cover developer contributions would need to be drawn-up if planning permission was to be granted.</p> <p>It is considered that these contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement. The applicant has agreed with the sums requested and accordingly these could form part of a S106 Agreement.</p>

Representations:

A site notice was posted and neighbouring properties consulted. As a result 1 letter of support has been received and 68 letters representing 71 local residents have been received, objecting to the application. The representations are detailed below:

Objection

Representations	Assessment of Head of Regulatory Services
<p>Local Plan/sustainability Should be rejected as it is outside of village envelope and not agricultural</p> <p>Melton Core Strategy plan also states that Bottesford is a Category 1/2 village and developments within villages in these categories should be "small scale infill development within their existing built form</p> <p>Contrary to plans intention to keep Bottesford and Easthorpe as separate villages</p> <p>Village envelopes are to prevent urban sprawl/preserve villages/protect the environment and are only a few years old</p> <p>Not a sustainable location – not enough employment in village for residents No longer a through bus service and public transport is poor Village is becoming a dormitory town with old housing in the middle Should be infill only</p> <p>Village envelope should not be changed without village referendum</p> <p>Large-scale development so far from centre detrimental to social cohesion of the village</p> <p>Development not feasible on this site</p> <p>Not suitable location for a play area – grass snakes</p> <p>Site too far from shops</p> <p>Highways 54 dwellings will increase traffic on Grantham Road – additional congestion – 100 extra cars catastrophic</p>	<p>The site is outside the village envelope– only if there is not a 5 year supply of housing or some other material consideration of significance, should their be consideration for the local plan to be set-aside</p> <p>Policy H6 of the Adopted Local Plan allows for small scale development ‘within’ the envelope. The Core Strategy identifies Bottesford as a category village 1 in the preferred options section – suitable for some growth to meet local needs and support services – but is not adopted and minimal weight can be attached to it</p> <p>One of the aims of P.P.S 7 is to guard against the coalescence of settlements.</p> <p>The Local Plan seeks to direct new housing to sites within village envelopes. The local plan dates from 1999 and remains extant.</p> <p>It will not be possible for there to be employment for all of the residents locally. However, Bottesford remains a sustainable location and public transport is reasonable for a rural area Larger villages act as a service centre for surrounding areas Local Plan policy does not restrict development solely to infill but also caters for planned growth.</p> <p>The LDF process will be subject to local consultation – P.P.S 3 states that development can be permitted if there is not a 5 year supply of housing land and/or other considerations justify it.</p> <p>Not all development can be within the centre of the village</p> <p>It is up to the applicant will assess whether the development is feasible</p> <p>Only access is being considered at outline stage.</p> <p>There is no land available close to the shops</p> <p>Highway Authority raises no objections, see assessment above.</p>

<p>Access is on busy road near to corner Capping-off the contamination with 600mm soil will create lots of H.G.V's and is not carbon-friendly Will conflict with Sunday Market traffic Bottesford was by-passed 20 years ago, but with this development it will be like Bingham</p> <p>Transport assessment states;- 'Grantham Road has a 2m wide footway along its northern edge that extends beyond the site and would thus be suitable for use by residents to reach the shops, pubs, restaurants and schools located within Bottesford village centre.' This is also not the case. The path from the east stops opposite the site entrance. After that pedestrian have to walk on the service road down to the end of Fleming Avenue where the pathway starts again.</p> <p>Risk to cyclists and pedestrians</p> <p>Character & Compatibility Too big a development – affects rural character</p> <p>Affordable housing will not be in character with surroundings</p> <p>Development not in keeping with surroundings</p> <p>There should be a change from town houses in centre to larger house on edge of village</p> <p>Site is very prominent from footpaths Over-dominant and oppressive Much higher density than surroundings Already one high density scheme near to conservation area – don't want another</p> <p>Green fields are part of character that keeps villages apart</p> <p>Very intrusive</p> <p>Urbanises village and affects rural character</p> <p>Is more 'estate-like' than surrounding developments</p> <p>Bottesford is an attractive village, but wrong development in wrong place</p> <p>Will have negative impact on the character of the village</p> <p>Should be bungalows not dwellings</p>	<p>Government advice directs new housing to derelict and vacant sites – traffic associated with such development is unavoidable</p> <p>If a path is an essential requirement, then it would need to be provided at developers expense</p> <p>Highway Authority raises no objections</p> <p>See assessment on the character of the area.</p> <p>Affordable housing is a requirement for most larger developments, but should be well integrated and need not look out-of-place</p> <p>It is considered that 54 dwellings could result in a rather 'urban' form that does not sit comfortably with edge of settlement location and surrounding form of development.</p> <p>It is not possible to assess this aspect at this stage; the application is in outline with no design details submitted.</p> <p>P.P.S 3 states that density of surrounding area should not dictate density of new development. However, development should respect its surroundings and relate well to existing form and scale.</p> <p>This is noted, but careful development can ensure that there is no merging of settlements</p> <p>Noted</p> <p>See comments above</p> <p>See assessment in report on character.</p> <p>Noted</p> <p>Noted, see assessment on the impact on character.</p> <p>P.P.S 3 requires a mix of dwelling types</p>
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<p>Lack of distinctive character</p> <p>The dominance of such a densely packed estate, removing any glimpse of such a heritage asset is unacceptable in rural area</p> <p>An unusual mix of house types</p> <p>Flood/drainage Flooding is likely/close to flood-plain</p> <p>Extra strain on drainage</p> <p>Land has flooded several times since the 1980's</p> <p>Site cannot be gravity drained (as land owner will not give access to sewer) and drainage strategy fails to allow for pumping/storage</p> <p>Surface water drainage will be ineffective and cannot cope with flash floods</p> <p>Extra hard surface/dwellings will flood other property</p> <p>Will affect operation of sluice and cause flooding in Easthorpe</p> <p>Flood-risk assessment not adequate and doesn't mention what happens if all water-courses flood at once</p> <p>Overlooking/loss of amenity Planning statement submitted is not true in relation to scale and lack of overlooking Windows in new dwellings will overlook our property – not good planning</p> <p>Noise/dust/dirt/smell whilst building work carried out</p> <p>Noise from proposed car-parking area</p> <p>Contamination Will require expensive remediation of contamination</p> <p>Site had licence for inert tipping, but locals know that other materials including asbestos (medium risk) and arsenic, mercury and nickel were also dumped (high-risk) – health risk</p> <p>There's risk of methane from organic landfill – who will monitor it and which dwelling get the vent points?</p>	<p>Character is very mixed in this part of the village, there is no distinctive character.</p> <p>Loss of view is not a material consideration</p> <p>P.P.S 3 requires a mix of dwelling types</p> <p>Development is not within flood-plain</p> <p>Developer may need to fund upgrading, and this could be controlled by means of a condition.</p> <p>Lower part of site might flood, however, no buildings are contained in this part.</p> <p>There is normally a technical solution to drainage issues. Sewers can be requisitioned if owner does not give consent to cross land</p> <p>The Environment Agency raised no objections and there are not considered to be any flooding issues.</p> <p>The submitted layout is only illustrative at this stage and there is no indication as to position of windows, scale etc</p> <p>Would be controlled by Environmental Health</p> <p>Noted, but layout only illustrative at this stage</p> <p>Noted – it is for developer to assess whether economic to develop</p> <p>The Environmental Health officer has reviewed the contamination report and concludes that it is a sound report and that contamination is not an issue.</p> <p>See comments in relation to contamination above.</p>
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<p>Developing this site could put others at risk from landfill gas</p> <p>Brownfield sites /landfill not suitable for development</p> <p>Wildlife Will result in loss of habitat and wildlife</p> <p>Site contains grass snakes/ amphibians/ reptiles /bats/water-voles/wildbirds(King-fishers) and otters, despite being brownfield.</p> <p>Insects/mammals will also be lost</p> <p>A full survey has not been carried out – grass snakes present</p> <p>Trees/ancient hedges will be lost</p> <p>Affordable Housing Not enough affordable housing proposed for this site</p> <p>Affordable housing will devalue existing property</p> <p>Wrong location for affordable housing – should be near centre and amenities</p> <p>Muir Group joined the Leicestershire & Rutland Rural Homes Enabler and Melton Borough Council in 2009 and will provide for affordable homes – no need on this site</p> <p>Others</p> <p>Loss of view of Vale of Belvoir from dwellings and footpath</p> <p>Schools do not have capacity – teaching standards will fall</p> <p>Doctors surgery not large enough</p> <p>Other utility services cannot cope</p> <p>Insufficient publicity</p> <p>No benefit to village – just greed for developer</p> <p>Not a brownfield site</p>	<p>Government advice directs new housing to derelict and vacant sites – they are suitable with appropriate remediation</p> <p>Noted – ecology consultee has asked for additional information and surveys.</p> <p>Retention of trees/hedges would be expected</p> <p>Proposal for affordable dwellings meets Policy requirement (40%)</p> <p>Devaluation of property is not a material planning consideration</p> <p>Policy requires affordable dwellings on-site as a component part of all larger scale proposals. Failure to provide Affordable Housing would exacerbate current shortfalls and reduce the opportunities to address this priority issue.</p> <p>Policy requires affordable dwellings on all appropriate sites. The affordable housing proposed for this scheme would form part of the overall housing supply, over and above that identified for specifically local needs by the Rural Homes Enabler</p> <p>Loss of view is not a material consideration and other views will be taken into account when layout considered</p> <p>See L.C.C consultation response above – contributions are sought to enable the expansion of the primary school, due to limited capacity. Noted, no evidence received to support this</p> <p>Noted, no evidence received to support this</p> <p>The application has been published in accordance with the Council’s procedures and statutory requirements and has attracted a high level of public interest.</p> <p>See commentary in relation to</p>
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<p>Sets precedent for further development towards river</p> <p>Will be only 1km from commercial wind turbines and a health risk</p>	<p>Brownfield/Greenfield</p> <p>Each application should be viewed on its merits</p> <p>Would be no closer than other residential property: the proposed wind farm has in any event been refused.</p>
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Support

Representation	Assessment of Head of Regulatory Services
<p>Wishes to support the application, in order to keep the village vibrant , encouraging new houses will ensure that local facilities i.e. post office, schools, library will be maintained ,</p>	<p>Noted</p>

Other material considerations (not raised through consultation or representation)

Considerations	Assessment of Head of Regulatory Services
<p>Application of Development Plan and other planning policy.</p> <p>The application site is situated outside of the village envelope for Bottesford and within the open countryside, where new development of this nature is resisted by Policy OS2 of the adopted Melton Local Plan.</p>	<p>The proposal is contrary to the development plan, and should be refused unless there are sound reasons to warrant a deviation from the Local Plan.</p> <p>The applicant has not advanced sufficient justification for the proposal.</p> <p>Planning Policy Statement 3 – Housing indicates that if a 5 year supply of land cannot be identified, then Local Planning Authorities should look favourably on suitable residential developments and that a lack of supply can constitute a ‘material consideration’ that can outweigh a policy objection.</p> <p>In this instance, it is considered that there is no undersupply of housing land that would warrant the grant of planning permission.</p> <p>The land concerned is a Greenfield site and PPS 3 gives advice on a sequential approach to identifying housing sites when preparing Development Plans. It states that the location of new development should follow a sequential approach so that it meets housing requirements in the most sustainable way. A search sequence should be followed starting with the re-use of previously developed land in urban areas, then urban extensions and finally new development around nodes in good public transport corridors. It is recognised that development may also be needed outside such areas, depending on the overall need for housing in the area, however, in such cases the most sustainable option should be utilised as set out in Planning Policy Statement 1. The criteria include: availability of previously</p>

	<p>developed sites, location and accessibility to jobs, shops, services, capacity of existing infrastructure, ability to build communities and physical and environmental constraints of the land.</p> <p>It is not considered that the proposed development meets the sustainability criteria set out above, and being a Greenfield site that is likely to generate usage by the private car it is not a particularly sustainable location and there are likely to be more sustainable brownfield sites that should be developed in preference to the current site</p>
<p>Density of development</p>	<p>Whilst PPS3 seeks greater intensity of development at locations with good transport accessibility to facilities and the guidance also seeks the more efficient use of available housing sites and on brownfield land, there is no longer a requirement to meet minimum housing densities.</p> <p>Whilst the density of surrounding development should not dictate the density of new development, P.P.S 1 does require new development to respect the locally distinctive character of an area and to be an appropriate design.</p> <p>This requires a balance to be struck between the efficient use of land and providing a development of an appropriate standard of design.</p> <p>The site lies on the very edge of the settlement and forms a transition between the village development and the countryside beyond, and where a suitable design is vital.</p> <p>The density of the proposal is considered to be inappropriate and the indicative layout of 54 dwellings will create a very harsh and “urban” appearance to the development, in an area where a more open and spacious appearance with better opportunities it assimilate with the surrounding landscape would be more appropriate to the character of the settlement.</p>
<p>Affordable housing The level of identified need for affordable housing is extremely high within the borough. In light of this level of need Melton Borough Council currently has a 40% affordable housing policy requirement, this was adopted in accordance with saved policy H7 of the Melton Local Plan in January 2008 under the same processes and procedures which have previously set the threshold and contribution requirements for affordable housing within the Melton Borough throughout the Local Plan's history.</p>	<p>It is considered reasonable to seek affordable housing on this application and whilst the application is in outline form, the applicant has agreed in principle to the provision of affordable housing although no Section 106 obligation has been advanced to deliver/control the affordable housing.</p> <p>The level of affordable dwellings (22 units out of 54) is considered acceptable.</p>
<p>Layout and Design</p>	<p>The proposed development comprises 54 dwellings, and the impact of such a scale of development on the character of the area has been discussed under ‘density’ above.</p> <p>The development is not considered to be</p>

	appropriate for this edge of settlement location, although it is accepted that the application is only in 'outline'.
Impact on residential amenity	<p>The development is in outline and it is considered that the final layout could comply with the separation standards normally accepted with regard to the relationship to existing neighbouring properties and the provision of suitable boundary treatment would also ensure that the privacy of all occupants would be protected to within acceptable levels.</p> <p>The only issue to be considered is that of access and it is considered that the access proposed would not create any issues of amenity for residents.</p>

Conclusion

This is a greenfield site which lies outside of the village envelope and within the countryside and therefore in a location that represents an unacceptable encroachment in to the countryside contrary to the advice contained in P.P.S 7 and it conflicts with policy OS2 of the Local Plan. The development is not one of the types of development permitted within the countryside by policy OS2 and the applicant has not advance sufficient justification for allowing the development contrary to the development plan. As such, it is considered that there are no material considerations that would warrant the granting of planning permission in this instance as there is an identifiable 5 year housing supply as required by P.P.S 3.

The site is not in a sustainable location and its development would encourage the use of the private motor car, and it represents a sizeable element of the overall annual housing requirement that should be directed to Melton Town and the release of greenfield sites should be on the basis of the Plan-led system and considered and assessed through the Local Development Framework process and not on the basis of individual applications.

The development of 54 dwellings on a site of this size would result in an urban form in an edge of settlement location where the general character is of a more spacious and open appearance and the proposal would be detrimental to the character and form of the settlement. Accordingly the application is recommended for refusal.

RECOMMENDATION: Refuse Permission for the Following Reasons:-

1. This is a greenfield site which lies outside of the village envelope and within the countryside and in a location that represents an unacceptable encroachment in to the countryside as the proposal is not one of the types of development permitted within the countryside by Policies OS2 of the Adopted Melton Local Plan, and the applicant has not advance sufficient justification for allowing the development contrary to the development plan. It is therefore contrary to national policy contained in P.P.S. 3 and P.P.S 7 and it conflicts with Policy OS2 of the Adopted Melton Local Plan.
2. Within the Borough of Melton there is currently an identifiable 5 year housing supply as required by P.P.S 3, and therefore there is no over-riding need to release the application site contrary to the provisions of the development plan. The benefits that have been advanced by the applicant are not considered to outweigh the harm caused by the proposals and the site is not considered to be a sustainable location where the development of a significant housing development of this nature would be likely to generate significant traffic movements by the private motor car, contrary to the objectives of PPS1 and PPS3.

3. The development of 54 dwellings on a site of this size would result in a very harsh and urban form in an edge of settlement location where the general character is of a more spacious and open appearance and the proposal fails to reflect the locally distinctive character of Bottesford and would be detrimental to the character and form of the settlement. The proposal would therefore conflict with the provisions of Policy BE1 of the Adopted Melton Local Plan.
4. Insufficient information has been provided in relation to ecological matters and therefore the Local Planning Authority cannot meet its statutory duty to consider the potential impact on protected species. The proposal therefore conflicts with guidance contained in P.P.S 9 Biodiversity and Geological Conservation, Circular 6/2005 and the provisions of Policy C15 of the Adopted Melton Local Plan.

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