



# Planning Statement

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RESIDENTIAL DEVELOPMENT OF UP TO 80  
DWELLINGS, ASSOCIATED INFRASTRUCTURE AND  
LANDSCAPING ON LAND OFF STATION ROAD, OLD  
DALBY

Planit-X Town and Country Planning Services  
01664 560972 | [INFO@PLANIT-X.CO.UK](mailto:INFO@PLANIT-X.CO.UK)

## 1. Introduction

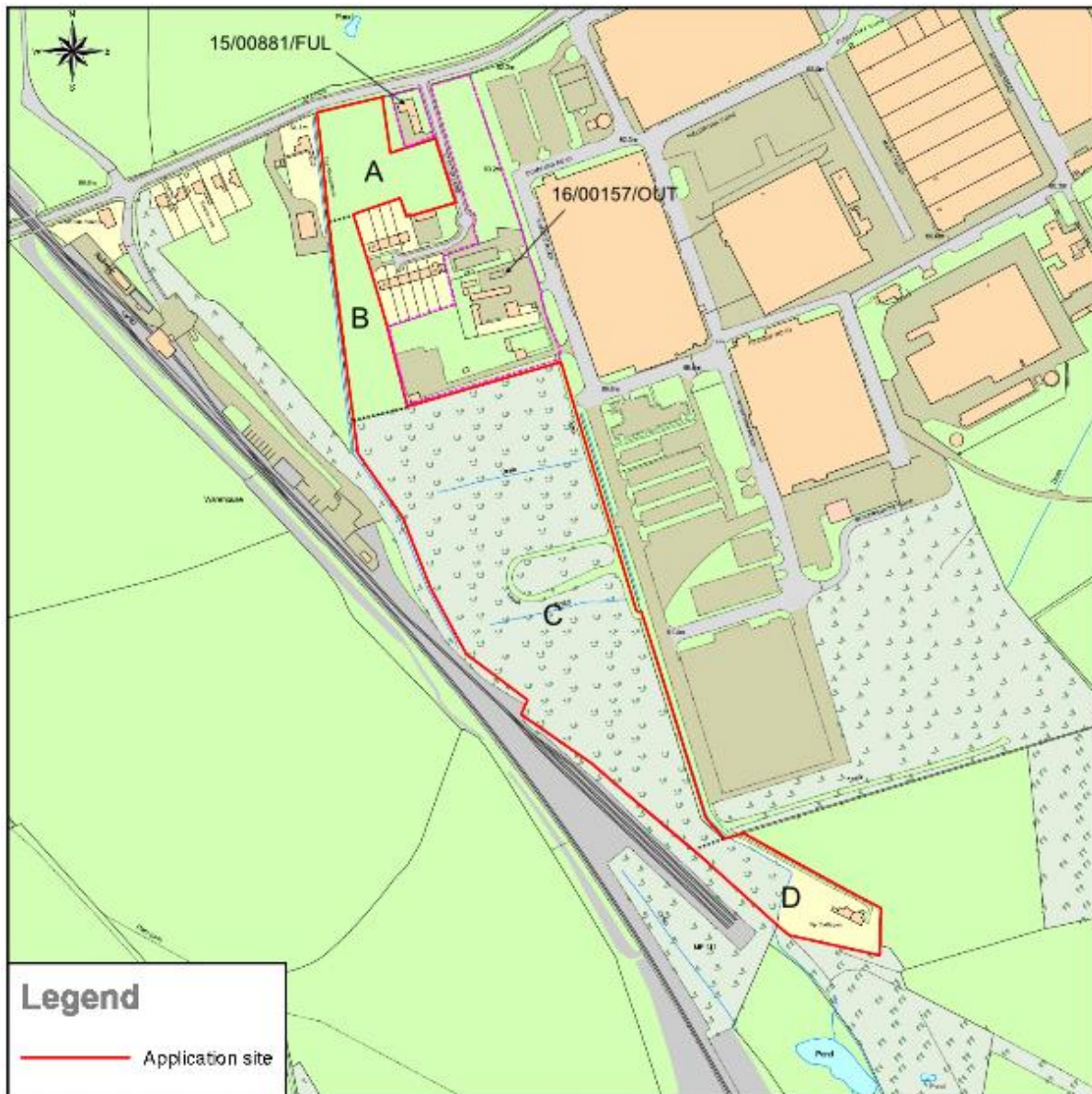
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- 1.1 This Planning Statement accompanies an outline application for residential development of up to 80 dwellings, associated infrastructure and landscaping on land off Station Road, Old Dalby. Access forms part of this outline application with appearance, landscaping, layout and scale reserved.
- 1.2 The Statement forms part of a suite of supporting documents which demonstrate that the proposal represents sustainable development.
- 1.3 The Statement has been prepared by Planit-X Town and Country Planning Services and should be read in conjunction with the Illustrative Masterplan prepared by Lathams architects and the following supporting documents:
  - Topographical Survey prepared by Greenhatch;
  - Transport Statement prepared by ADC Infrastructure Limited;
  - Extended Phase 1 Habitat Survey prepared by Curious Ecologists;
  - Design and Access Statement prepared by Planit-X;
  - Flood Risk Assessment prepared by EWE Associates;
  - A Housing Mix Assessment for the Parish of Old Dalby, Leicestershire prepared by Chris Broughton Associates;
  - A Noise Assessment prepared by Acute Acoustics; and
  - A Phase 1 Land Contamination Risk Assessment prepared by Castledine.

## 2. The site and its surroundings

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- 2.1 The application site adjoins the Old Dalby Business Park on the edge of Queensway, Old Dalby, Leicestershire. It lies about 7 miles north-west of Melton Mowbray, off a minor rural road connecting the A606 at Nether Broughton to the A6006 at Shoby Crossroads. The A606 and A6006 both connect to the A46 Trunk Road. The site is a vacant and comprises 5.65 hectares.
- 2.2 There are several services and facilities available locally, including a primary school, public house, a village church and village hall. The area has an hourly bus service to Melton Mowbray and Bottesford together with a less frequent service from Melton Mowbray to Nether Broughton.
- 2.3 The site was formerly part of the Army Base Storage and Distribution Agency (ABSDA) Sub-Depot at Old Dalby. The Sub-Depot closed in 1999 and was subsequently sold by the Ministry of Defence in several parcels.
- 2.4 The application site is previously developed (brownfield) land having been part of an active army base and occupied by railway sidings and housing in the past. A chain-link fence runs along the boundary of the site.
- 2.5 The site has an irregular shape which is best described in four parts (see location plan):
  - A Site frontage: Station Road forms the northern boundary of the site. To the west is The Woodlands, 1 Station Road, Old Dalby. Station Lane, a private road serving a small business and ten dwellings lie to the east and south of this part of the site.
  - B A rectangular piece of land to the west of the Station Lane cul de sac and to the west of the recently approved outline planning application for up to 25 houses (16/00157/OUT). The western boundary is formed by a ditch and hedgerow and beyond that is a small paddock;
  - C The largest part of the site with the Old Dalby Business Park to the east and the Old Dalby Test Track to the west. This part of the site contains scrub, former railway sidings and hardstanding; and
  - D A small area of land south of Old Dalby Business Park containing the derelict 'Tip Cottages'.



## Planning History

- 2.6 The planning history of the site is limited as much of the Sub-Depot was built before the need for planning permission and thereafter the Sub-Depot benefited from Crown immunity from planning control. Since then, the front part of the site (Area A) has been granted outline planning permission for 15 dwellings with all matters reserved except for access:

Reference	Address	Proposal	Decision	Decision Issued Date
<b>14/00954/OUT</b>	Land Adjacent The Woodlands, Off Station Road Old Dalby	Development for up to 15 dwellings	Permit	01 Sep 2015
<b>16/00102/VAC</b>	Land Adjacent The Woodlands, Off Station Road Old Dalby	Variation of Condition Number(s): 9 and 13 Application Reference Number: 14/00954/OUT Conditions(s) Removal: Revised junction arrangement to refer to submitted plan drawing no. ADC1132/002 Rev: E	Permit	15 Apr 2016

2.7 The Borough Council has also approved up to 29 dwellings on two sites adjoining and to the east of the application site:

Reference	Address	Proposal	Decision	Decision Issued Date
<b>15/00881/FUL</b>	1 Station Lane Old Dalby LE14 3ND	Redevelopment of Light Industrial site into residential with the creation of 4 new dwellings and improved access works	Permit	27 May 2016
<b>16/00157/OUT</b>	Land Adjacent The Woodlands Station Road Old Dalby	Erection of up to 25 houses with all matters reserved except access	Approved	12 Jan 2017

### 3. The scheme

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- 3.1 Outline planning permission is sought for residential development of up to 80 dwellings, associated infrastructure and landscaping. Access forms part of this outline application with all other matters reserved.
- 3.2 The proposed development will be accessed via a new junction created on Station Road which runs along the northern boundary of the site. Adequate visibility can be achieved at the site access, and so a safe and suitable access can be achieved. Details of the access proposal are shown on plan reference ADC1132 003 which forms part of this application.
- 3.3 The application is in outline and therefore the layout and mix of housing will be determined at later stages. However, the illustrative layout responds to evidence in the Housing Mix report which builds on district-wide information demonstrating a need for starter homes, downsizing accommodation for older residents and small family homes.
- 3.4 The application is accompanied by several technical assessments which demonstrate that the site is suitable for development and that any issues can be satisfactorily dealt with through appropriate mitigation.

#### Statement of Community Involvement

- 3.5 Contact has been made by consultants commissioned to prepare expert advice with the relevant statutory undertakers, Local Planning Authority and Leicestershire County Council during the preparation of their technical assessments. Where required the recommendations of these bodies have been incorporated in to the relevant reports, recommendations and proposals.
- 3.6 In December 2016, Broughton and Old Dalby Parish Council was informed that the applicant was considering submitting an outline planning application and gave it the opportunity to make comments on the proposal so that local concerns could be addressed early on. The Parish Council's response advised that it would respond to any forthcoming application in the normal way.

## 4. Planning policy

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### National Planning Policy Framework

- 4.1 The National Planning Policy Framework (Framework) sets out the Government's national policies on different aspects of spatial planning in England. It states that the purpose of the planning system is the 'achievement of sustainable development' and that this comprises of three dimensions: economic, social and environmental (Paragraph 7).
- 4.2 These dimensions give rise to the need for the planning system to perform several roles which 'should not be undertaken in isolation, because they are mutually dependent.' The roles are described as:
- an **economic** role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
  - a **social** role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
  - an **environmental** role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
- 4.3 Within the overarching roles identified above, a set of core land-use planning principles underpin both plan-making and decision-taking (Paragraph 17). These state that planning should:
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
  - proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area;

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate;
- contribute to conserving and enhancing the natural environment;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- conserve heritage assets in a manner appropriate to their significance;
- 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; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

4.4 Paragraph 14 of the National Planning Policy Framework identifies the 'presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.' For decision-taking this means:

- 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.



### Promoting sustainable transport

- 4.5 Paragraph 32 of the National Planning Policy Framework sets out the need for Transport Assessments and Travel Plans and concludes that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.' Paragraph 34 goes on to state that developments that generate significant movement should be 'located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However, this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.'

### Delivering a wide choice of high quality homes

- 4.6 Paragraph 47 of the National Planning Policy Framework requires Local Planning Authorities to 'boost significantly the supply of housing' through:
- using their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period; and
  - identifying and updating annually a supply of specific deliverable sites sufficient to provide five years' worth of housing.

- 4.7 Paragraph 49 of the Framework clarifies that 'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'

- 4.8 Paragraph 50 of the Framework goes on to state 'that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing, identify the size, type, tenure and range of housing that is required and set policies that meet affordable housing need.'

### Requiring good design

- 4.9 Paragraph 56 of the Framework states that 'Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'
- 4.10 Paragraph 58 requires that Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area.' 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 as a result of good architecture and appropriate landscaping.'

#### Promoting healthy communities

- 4.11 Paragraph 69 states that 'The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities' and that 'access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.'

#### Conserving and enhancing the natural environment

- 4.12 Paragraph 109 of the Framework recognises that the planning system should contribute to and enhance the natural and local environment by, amongst other aims:
- protecting and enhancing valued landscapes, geological conservation interests and soils;
  - recognising the wider benefits of ecosystem services; and
  - minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 4.13 Paragraph 111 states that planning decisions should 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.

- 4.14 Paragraph 118 requires that 'When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying certain principles, including encouraging opportunities to incorporate biodiversity in and around developments.'
- 4.15 Paragraph 120 states that 'Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.'
- 4.16 Planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development (paragraph 123).

### The Development Plan

- 4.17 The development plan comprises the Melton Local Plan 1999, the Leicestershire Minerals Development Framework: Core Strategy and Development Control Policies up to 2021 and the Leicestershire and Leicester Waste Development Framework: Core Strategy and Development Control Policies up to 2021. The policies in the Leicestershire Minerals Development Framework and the Leicestershire Waste Development Framework are not relevant to this application.
- 4.18 In 2007, the Secretary of State for Communities and Local Government made a Direction under Paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 so that only those policies listed in the Direction continue to be part of the development plan. The saved policies that are relevant to this proposal are:
- OS2: restricts development outside the town and village envelopes shown on the proposals map apart from in exceptional circumstances;
  - OS3: seeks to impose conditions or legal agreements to secure the provision of infrastructure;
  - H7: seeks to negotiate the provision of affordable housing;
  - H10: requires new residential development to provide amenity open space on site in accordance with the Councils standards;
  - H11: requires new residential development of 15 or more dwellings to provide play space in accordance with the Council standards;
  - T3: requires that new development make suitable provision for the needs of public transport operations in terms of design and public accessibility;
  - T6: requires the provision of safe cyclist and pedestrian routes in new residential development;

- C1: resists development which would result in the loss of the best and most versatile agricultural land (grades 1, 2 and 3a)
- C13/14/15: require consideration, mitigation and safeguarding of sites of nature conservation and ecological value; and
- BE1: sets out guidance on design in new development.

### The New Melton Local Plan

- 4.19 The new Melton Local Plan is currently being prepared by Melton Borough Council. The Pre-Submission Draft version of the Melton Local Plan was published on 8 November 2016 and consultation ended on 19 December 2016. The plan does not currently form part of the Development Plan for Melton Borough and its weight should be determined in accordance with Paragraph 216 of the Framework.
- 4.20 Policy SS2 identifies Old Dalby as a Service Centre reflecting its size, number of services and good connections with public transport to main Urban Areas.
- 4.21 Policy C1(A) identifies three sites for housing development at Old Dalby. Part of the application site is identified as site OLD3.
- 4.22 Additional policies within the emerging plan that are of relevance to this proposal are:
- SS6: Alternative Development Strategies and Local Plan Review;
  - C2: Housing Mix;
  - C4: Affordable Housing Provision;
  - C9: Healthy Communities;
  - EN1: Landscape;
  - EN2: Biodiversity and Geodiversity;
  - EN3: Green Infrastructure Network;
  - EN6: Settlement Character;
  - EN7: Open Space, Sport and Recreation;
  - EN9: Ensuring Energy Efficient and Low Carbon Development;
  - EN11: Minimising the Risk of Flooding;
  - EN12: Sustainable Drainage Systems;
  - IN1: Transport and Strategic Infrastructure;
  - IN2: Infrastructure Contributions and CIL;

- IN3: Broadband; and
- D1: Raising the Standard of Design.

### Broughton and Dalby Neighbourhood Plan

- 4.23 The 2011 Localism Act has given communities the right to draw up a Neighbourhood Development Plan.
- 4.24 The parish of Broughton and Dalby has been designated as a Neighbourhood Area. This is the very first stage in the preparation of the Broughton and Dalby Neighbourhood Plan and the plan has not yet made sufficient progress for any weight to be accorded to it in the determination of this application.

### Housing White Paper: Fixing our broken housing market

- 4.25 The Housing White Paper 'Fixing our broken housing market' sets out a programme of reform to tackle the long-standing problems in the housing market and ensure that more homes are built in the right places.
- 4.26 The Government wants to make as much use as possible of previously-developed ('brownfield') land for homes– so that this resource is put to productive use, to support the regeneration of cities, towns and villages, to support economic growth and to limit the pressure on the countryside. The Government is already pursuing reforms to make this happen.
- 4.27 Going further, the presumption should be that brownfield land is suitable for housing unless there are clear and specific reasons to the contrary (such as high flood risk). To make this clear, the Government will be amending the National Planning Policy Framework to indicate that great weight should be attached to the value of using suitable brownfield land within settlements for homes.

## 5. Assessment of the scheme

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### Development Plan – Melton Local Plan 1999

- 5.1 The weight to be attached to the policies in the development plan should be determined according to their degree of consistency with the National Planning Policy Framework. The policies of the Melton Local Plan 1999 were formulated in the early 1990's in the context of the Leicestershire Structure Plan (SP) adopted in 1994 based on demographic evidence from the 1980's. The Melton Local Plan was adopted in 1999. In September 2007, the Secretary of State issued a 'Saving Direction' regarding various policies contained within the Melton Local Plan 1999.
- 5.2 The Melton Local Plan 1999 sets out the Council's land-use planning policies for 1991-2006. It is therefore time expired and significantly out of date.
- 5.3 It follows that the Village Envelope boundaries are significantly out of date, as they sought only to meet housing needs in the SP (1994), which has been revoked and replaced by another SP (2005) and RS (2009), which has itself been revoked. The Melton Local Plan 1999 only sought to guide development to 2006.
- 5.4 The application site is outside the Village Envelope for Old Dalby as defined in the Melton Local Plan 1999 (Policy OS2). However, Policy OS2 is out of date and inconsistent with paragraph 47 of the NPPF. It does not seek to boost significantly the supply of housing in Melton, it does not add choice and competition in the market for land and it does not assist the Council in providing a realistic prospect of achieving the planned supply. A housing policy which constrains new housing development to Village Envelopes formulated in the 1990's and which expired in 2006 cannot be consistent with the National Planning Policy Framework which seeks to boost the supply of housing to meet current objectively assessed needs. Further, Policy OS2 seeks to protect the whole of the countryside rather than valued landscapes within it. It is therefore inconsistent with paragraph 109 of the NPPF. There are no policies to encourage the re-use of land that has been previously developed
- 5.5 Accordingly, the policies relevant to the supply of housing are out of date and can be given very little weight. The default position of paragraph 14 of the National Planning Policy Framework is therefore engaged and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Paragraph 14 of the NPPF can also be engaged where there is the absence of a 5-year supply by applying paragraph 49 of the National Planning Policy Framework (see below).

- 5.6 Saved Policy H7 remains relevant to new residential proposals in terms of providing suitable levels of affordable housing as part of larger residential housing schemes although the weight that can be attributed to it is also limited. New information regarding affordable housing need within the Borough has recently been undertaken to support the emerging policies of the new Melton Local Plan.
- 5.7 Open space and play space requirements are set out in Saved Policies H10 and H11. The development site is of sufficient scale to provide adequate open space and the illustrative layout demonstrates how open space can be provided.
- 5.8 Saved Policy T3 requires new development to make suitable provision for the needs of public transport operations whilst Policy T6 requires the provision of safe cyclist and pedestrian routes in new residential development. The site has good links to the public transport network and the illustrative layout shows how existing pedestrian routes can be created whilst retaining a high quality built environment.
- 5.9 Saved Policy C1 resists development that would result in the loss of the best and most versatile agricultural land which comprises Grades 1, 2 and 3a. The application site is previously developed land that makes no contribution to agriculture.
- 5.10 Saved Policies C13, C14 and C15 require consideration, mitigation and safeguarding of sites of nature conservation and ecological value. The site and surrounds have been assessed by Curious Ecologists in terms of their ecological value and any potential impacts on designated sites, protected species and local flora and fauna. Most of the site is comprised of poor quality (in ecology terms) habitat, as much of the site had been cleared of vegetation, although there was some trees, scrub and ephemeral growth in some areas. There are various ecological features that can be designed into proposals for the site, in line with the 'The Government's Biodiversity Strategy for England to incorporate biodiversity in and around the development'. A key feature of our proposals for the site is habitat creation (woodland copse extension) in the area (0.5ha) to the south of the site.
- 5.11 Saved Policy BE1 sets out guidance on design in new development. The application is in outline only with all matters reserved except access. Consequently, the detailed design of the site would be assessed at a later stage, but the illustrative layout demonstrates that the site can accommodate an attractive, policy-compliant development.

- 5.12 Saved Policy BE11 resists development that would have a detrimental effect on significant archaeological remains and requires conditions to ensure appropriate recording, evaluation and, where practicable, preservation.

### Pre-Submission Melton Local Plan

- 5.13 As outlined previously, the emerging policies for Melton Borough are contained within the Pre-Submission Draft of the Melton Local Plan. Consultation on the plan ended on 19th December 2016.
- 5.14 Paragraph 216 of the Framework sets out the amount of weight to be given to emerging policies. Whilst the extent of the representations has not been published, there are likely to be significant objections to the housing supply and proposed allocations, particularly those relevant to this proposal. As these remain unresolved little weight can be afforded to the emerging policies at this stage either in terms of ensuring the council has a five-year supply of land or in terms of directing new development.
- 5.15 However, what can be established from the emerging policies and background evidence is that Old Dalby is considered a sustainable settlement by the Local Planning Authority suitable for new residential development due to its level of existing services.
- 5.16 Part of site has been identified by the Local Planning Authority as a suitable, available and achievable site for housing development. The technical assessment undertaken in support of this application confirms that the whole of the site is deliverable.
- 5.17 The scheme has been prepared to comply with those policies emerging in the draft plan even though many of these have limited weight.

### Housing Supply

- 5.18 The National Planning Policy Framework requires Local Planning Authorities to have a five-year supply of housing (Paragraph 47). Paragraph 49 states that 'Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'
- 5.19 Melton Borough Council has recently published its housing supply statement and claims a 7.6-year supply of housing (Five Year Land Supply and Housing Trajectory Position 2nd November 2016). This position relies on a significant number of homes being delivered on proposed allocations within the emerging New Local Plan.



- 5.20 Sites can only be included in the five-year supply if they are deliverable in accordance with Paragraph 47 and footnote 11 of the National Planning Policy Framework. Sites with planning permission, such as the 15 dwellings on part of the application site, can be considered deliverable.
- 5.21 However, sites allocated in the emerging Local Plan cannot be considered deliverable as the Plan has limited weight under paragraph 216 of the National Planning Policy Framework. The Borough Council cannot rely upon proposed allocations in the Pre-Submission Consultation Plan to establish a five-year land supply.
- 5.22 Further, the method of calculation of the November 2016 five-year land supply figure uses the Liverpool method as opposed to the Sedgefield Method which is recommended by the Planning Practice Guidance (Paragraph 35) which states 'local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible'.
- 5.23 On this basis, Melton Borough Council cannot presently demonstrate a 5-year supply of deliverable housing land. As such Paragraphs 49 and 14 of the National Planning Policy Framework are engaged. Paragraph 49 is clear in its advice, namely 'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'.
- 5.24 As the housing (and countryside policies) of the Melton Local Plan are therefore 'out of date', in accordance with Paragraph 14 of the National Planning Policy Framework, planning permission should be granted without delay unless the adverse impacts significantly and demonstrably outweigh the benefits. The Government's imperative under Paragraph 47 of the Framework to "boost significantly the supply of housing" is also consequently engaged and this application should be considered in the context of the presumption in favour of sustainable development.

### Principle

- 5.25 To summarise, at the time writing:
- the housing policies within the Development Plan (1999 Melton Local Plan) are out of date,
  - the emerging policies in the New Local Plan are of insufficient weight to be relied upon for decision taking;

- the emerging policies in the Broughton and Dalby Neighbourhood Plan are of insufficient weight to be relied upon for decision taking; and consequently
  - decision makers should assess applications against the policies within the National Planning Policy Framework to establish whether the proposal constitutes sustainable development.
- 5.26 Old Dalby has a wide range of facilities and good public transport connections to Urban Areas. There are good local employment opportunities. Melton Borough Council has confirmed Old Dalby's role in providing for housing growth in the emerging policies of the new Local Plan. The technical assessments supporting this application demonstrate that the site can be developed successfully.
- 5.27 Planning permission has already been granted for residential development on part of the site. Permission has also been granted for housing development on adjoining land. Accordingly, Melton Borough Council has already accepted that the application site is in a sustainable location for housing development.
- 5.28 Part of the site is already identified in the Pre-submission Melton Local Plan for the development of 15 dwellings and the site contributes to the Council's five-year supply of deliverable housing sites.
- 5.29 The site is brownfield and, as such, planning decisions should encourage its redevelopment. Emerging policy states that the presumption should be that brownfield land is suitable for housing unless there are clear and specific reasons to the contrary.
- 5.30 This site represents an opportunity to provide a suitable level of housing in a location that is sustainable without the need for greenfield development.

### Transport

- 5.31 A Transport Assessment has been prepared by ADC Infrastructure to support the outline application. The Transport Assessment demonstrates that the development site is accessible by a range of sustainable travel modes, and is therefore suitable for residential development. The facilities within Old Dalby are within acceptable walking distance of the site, and given the existing and proposed pedestrian infrastructure including new footways and crossing points, there are good opportunities for pedestrian travel.
- 5.32 There are also opportunities for cycle and bus travel, with two bus services per hour past the site with bus stops within walking distance.

- 5.33 Based on the travel patterns of existing residents in the area, extracted from the 2011 Census, it is forecast that the proposed residential dwellings would generate three pedestrian trips, one cyclist and one bus journey in an average peak hour. These additional trips can be accommodated by the existing and proposed infrastructure.
- 5.34 The proposed residential development would generate approximately 50 two-way vehicle trips in an average peak hour. This traffic would split at the access junction, such that the increase either side would not result in a material increase in the existing traffic flows beyond the proposed site access.
- 5.35 The site access junction will be designed in accordance with appropriate standards. Appropriate visibility splays can be achieved from the proposed site access junction. An access in this location has previously been approved by Leicestershire County Council to serve a smaller residential development. As part of the current proposals, the widened site access in the same location should be acceptable to Leicestershire County Council.
- 5.36 Overall, the proposed development would accord with the aims of the National Planning Policy Framework. The opportunities for sustainable travel would be promoted as part of the proposals, and thus safe and suitable access can be achieved for all people. Therefore, it would be unreasonable to prevent the development on transport grounds.

### Flood Risk and Drainage

- 5.37 EWE Associates has prepared a Flood Risk Assessment report for the proposed residential development which concludes that there is a low risk of fluvial flooding from the fluvial sources from the adjacent ordinary watercourse.
- 5.38 It is recommended that the ground floor level of all the dwellings within the site are elevated at least 150mm above the finished external ground level to ensure that any surface water flooding doesn't enter the new buildings.

- 5.39 The proposed development is located outside of the 1 in 1,000 year extreme flood envelope and will be a safe area during flood events. As such, dry access and egress will be available at all times onto Station Road to the north of the site.
- 5.40 Consideration has been given to the hierarchy for surface water disposal which recommends a Sustainable drainage systems (SuDS) approach which includes infiltration as the first tier. Based on the soil maps and from experience of other developments local to Old Dalby it is considered that infiltration drainage is not a practical option. As such, SuDS techniques are considered appropriate for surface water disposal from the development, which will discharge to an ordinary watercourse to the north west of the site.
- 5.41 The proposal seeks to maximise the use of SuDS within the proposed development. The primary attenuation will be provided within a linear pond. The pond will be used to accommodate the storage during 1 in 1 year, 30 year, 100 year and 100 year +CC storms (worst case scenario). The detailed arrangements can be properly regulated at reserved matters stage and controlled by a planning condition.

### Ecology

- 5.42 A Phase 1 Habitat Survey was undertaken by Curious Ecologists. The Survey concluded that most of the site is comprised of poor quality habitat, as much of the site had been cleared of vegetation, although there were some trees, scrub and ephemeral growth in some areas.
- 5.43 Just off site to the west is a flowing ditch/stream and hedge, and care should be taken should the development go ahead to protect these features from damage. The best way to achieve this would be to plant a wildlife corridor along the western boundary using native species of shrubs and trees, which would also provide a screen to the development.
- 5.44 Great crested newts are fully protected and a Suitability Index survey of the habitats and ponds within 500m of the site was undertaken. The Habitat Suitability Index of the pond at SK68562335 had an excellent suitability as a great crested newt breeding, however no further surveys will be required, due to its distance from the proposed development. Other ponds within 500m were assessed as below average suitability.
- 5.45 The proposed site is considered to offer suitable foraging habitat for bats and the proposals should aim to provide suitable natural habitats where possible.
- 5.46 There are various ecological features that can be designed into proposals for the site. These would include habitat creation (woodland copse extension) in the area (0.5ha) to the south of the site.

## Contamination

- 5.47 Castledine have undertaken a Phase 1 Land Contamination Risk Assessment of the application site. It is the opinion of Castledine that the site represents a moderate risk with respect to the proposed development.

## Noise

- 5.48 Acute Acoustics have carried out an assessment of environmental noise on the proposed development. The assessment included the impact of the rail test track, Old Dalby Business Park and local traffic.
- 5.49 The noise report recommends that:
- A 1.8m high close-boarded timber fence should be built along the eastern site boundary.
  - Walls – Solid brickwork, brick/block cavity, brick clad timber frame or timber frame with lightweight cladding.
  - Roof – Tiled/slatted roof, 10kg/m<sup>2</sup> plasterboard ceiling, 100mm sound absorbing layer above the ceiling (e.g. mineral wool loft insulation) or roof type of equivalent performance.
  - All rooms with windows on all facades to be fitted with 4/12/4 or 4/16/4 thermal glazing, well-sealed when closed, with a trickle vent with indirect air path.
  - Further calculations can be carried out once the site layout is finalised.
- 5.50 Given the distance from dwellings to the railway shown on the indicative layout and with gardens largely behind the dwellings and away from the railway, there is no requirement for noise mitigation regarding railway noise. Nonetheless, we propose a 2m high close-boarded timber fence with a minimum mass of 8kg/m<sup>2</sup> be built along the western site boundary.

## Housing Mix

- 5.51 The Housing Mix report uses available evidence to suggest an appropriate mix of dwellings for the site. The Borough-wide Housing Needs Assessment has been the starting point for the report.

- 5.52 Estate agents perceive that demand for new homes on this site is likely to come from younger households who are likely to be first-time buyers. It is important to note that demand from this group is price sensitive. Inclusion of starter homes and other forms of 'affordable' low cost home ownership would undoubtedly assist a larger proportion of young people to achieve home ownership, perhaps helping to slow or even reverse the trend of an increase in private renting. There is also a recognition that some provision for older people would benefit the community as well as help to meet their needs.
- 5.53 The evidence suggests that broad targets for housing mix contained in the Borough-wide Housing Needs Assessment should be preferred to ward level estimates as they are likely to be more robust. The nature of the demand identified for market housing is price sensitive and this strongly influences the mix.
- 5.54 Given the location and services currently offered within Old Dalby the provision of a large amount of social rented housing might not be appropriate.
- 5.55 The overall conclusion is that within the range of the rural housing mix suggested by the Borough-wide Housing Needs Assessment, the market housing should be skewed toward the higher proportion of smaller homes. The issue for the affordable mix is that of tenure in that lower income working families would be presented with an option to private renting if starter homes were in the mix and a large proportion of the affordable requirement was offered as discounted market sale for qualifying households. The mix of dwelling types should include a small number of bungalows or other types suited to the needs of elderly downsizers and those who have poor mobility. A small number of larger (4 bedroom homes) in the open market sector would be consistent with the Borough-wide Housing Needs Assessment and would help to maximise the overall economic viability of the development.

### Layout

- 5.56 An illustrative masterplan has been prepared, showing the general arrangement of dwellings, highways and landscaping.
- 5.57 The exploration of constraints and opportunities has led to the creation of a new and characterful residential development, which takes full account of its setting, views and adjoining uses.

## 6. Section 106 agreement

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- 6.1 Pre-application discussions have taken place with Melton Borough Council and Leicestershire County Council in respect of developer contributions.
- 6.2 This indicates that developer contributions may be requested in respect of:
- Education;
  - Libraries;
  - Civic Waste Facilities; and
  - Open Space
- 6.3 These requests are capable of being secured through an appropriate S.106 planning obligation.
- 6.4 Planning obligations should only be sought where they meet all the following tests:
- necessary to make the development acceptable in planning terms
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 6.5 It should be noted that no planning obligations were attached to the planning permission granted for up to 15 dwellings (14/00954/OUT). Therefore, any new requests for developer contributions should be appropriately discounted.

## 7. Conclusions

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- 7.1 The housing policies within the Development Plan (1999 Melton Local Plan) are out of date, and the emerging policies in the new Local and Neighbourhood Plans are of insufficient weight to be relied upon for decision taking.
- 7.2 As the development plan policies are out of date the presumption in favour of sustainable development applies and Paragraph 14 of the National Planning Policy Framework is engaged. Paragraph 14 of the Framework requires that, where development plan policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework policies taken as a whole.
- 7.3 The application site has access to a range of facilities and good public transport connections to Urban Areas. There is a public house, primary school and village hall all within reasonable walking distance, as well as good employment opportunities. There is also a bus stop close to the site with a regular service to Melton Mowbray. Residents of the site would have a realistic option of travelling to a good range of services and facilities by walking, cycling or using public transport. Melton Borough Council has confirmed that the site is a suitable location for housing growth in the emerging policies of the new Local Plan and through previous planning decisions.
- 7.4 Part of the site is identified in the Pre-submission Melton Local Plan for the development of 15 dwellings and this contributes to the Council's five-year supply of deliverable housing sites.
- 7.5 The technical assessments supporting the planning application demonstrate that the site can be developed successfully.
- 7.6 The proposed development would provide several economic, social and environmental benefits, not least a significant boost to the area's supply of houses, including a range of affordable dwellings. A living, working countryside depends, in part, on retaining local services and community facilities such as schools, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.
- 7.7 The application site is in a sustainable location and the proposal would perform the three roles set out in paragraph 7 of the National Planning Policy Framework.



- 7.8 The site currently has a vacant, derelict appearance. Development would be consistent with the presumption that brownfield land is suitable for housing unless there are clear and specific reasons to the contrary.
- 7.9 An illustrative masterplan has been prepared, showing the general arrangement of dwellings, highways and landscaping.
- 7.10 The exploration of constraints and opportunities has led to the creation of a new and characterful residential development, which takes full account of its setting, views and adjoining uses.
- 7.11 A new access is proposed on Station Road, as well as areas of new public open space, attractive pedestrian routes, wildlife areas, landscaping and surface water drainage infrastructure. Key features include:
- a mix of two, three and four bedroom homes;
  - a single vehicular access onto Station Road with pedestrian refuges either side to help reduce vehicular speeds and improve safety for pedestrians crossing Station Road;
  - a 2m wide footway along the site frontage;
  - opportunities for links with the existing Station Lane development and proposed nearby housing developments with the possibility of rationalising the number of junctions on Station Road;
  - Mitigation measure to protect new and existing residents from nearby railway and business noise;
  - A new water feature at the site entrance to provide both storm-water attenuation and new habitat creation;
  - A Wildlife Corridor stretching along the western boundary of the site accommodating the existing watercourse, hedges, shrubs and trees as well as a path for pedestrians and cyclists;
  - a major open space incorporating a Neighbourhood Equipped Area for Play; and
  - the creation of a new woodland habitat providing a link from the Wildlife Corridor to exiting areas of woodland beyond the site.
- 7.12 There are no adverse impacts sufficient to outweigh the benefits of development or the presumption in favour of sustainable development.