

Residential scheme for up to 38 dwellings including a mix of affordable and market dwellings (Outline - all matters reserved)

**Report Item No
A1**

**Land At Swebstone Road Heather Coalville Leicestershire
LE67 2RF**

**Application Reference
17/00340/OUTM**

**Applicant:
Mr. V Richichi**

**Date Registered:
10 March 2017**

**Case Officer:
James Mattley**

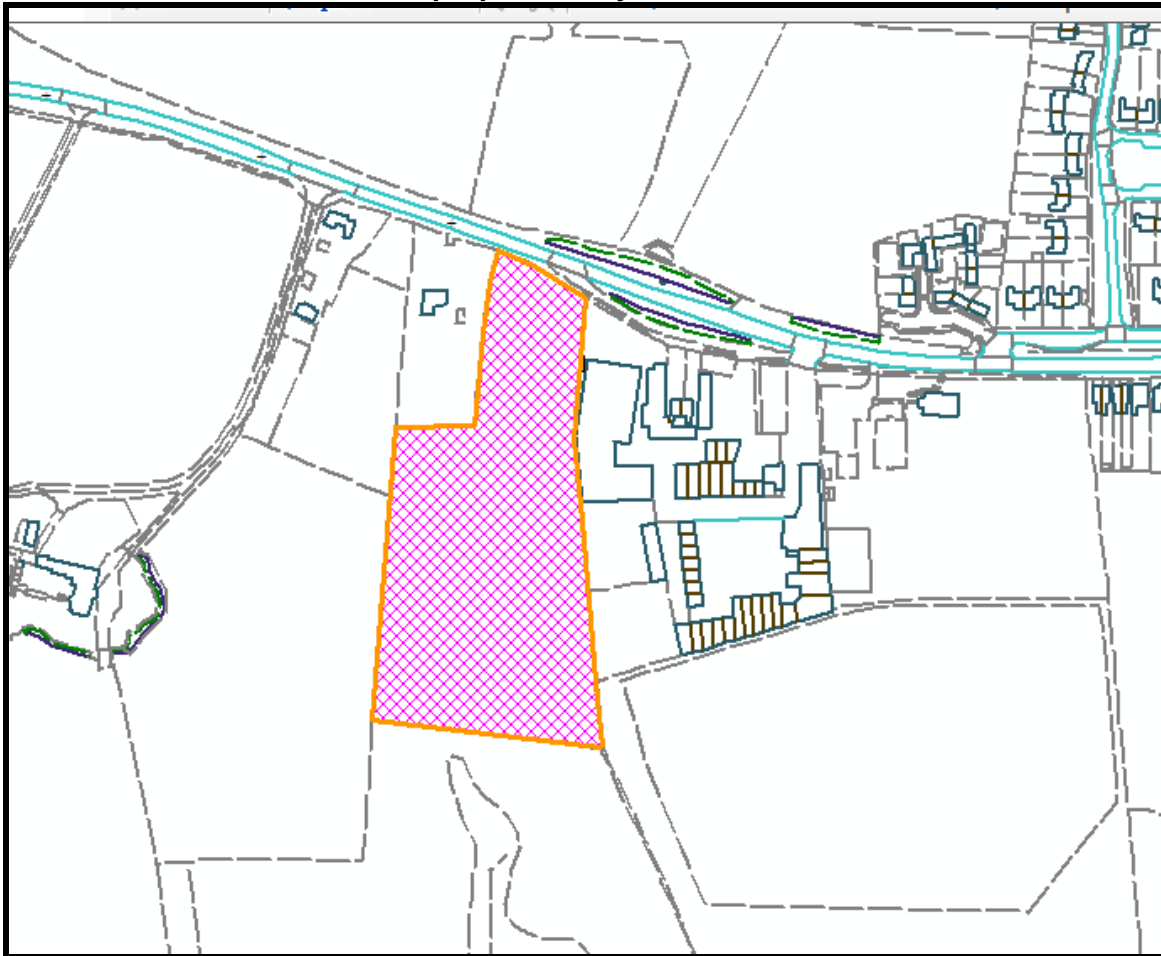
**Consultation Expiry:
4 May 2017**

**8 Week Date:
9 June 2017**

**Recommendation:
REFUSE**

**Extension of Time:
None Agreed**

Site Location - Plan for indicative purposes only



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EXECUTIVE SUMMARY OF PROPOSALS

Call In

The application is being considered by the Planning Committee because the applicant is a serving member of the Council.

Proposal

Planning permission is sought for a residential scheme for up to 38 dwellings (outline - all matters reserved) at Swepstone Road, Heather. The application site which measures 2 hectares is located outside the Limits to Development as defined by the adopted and submitted Local Plans.

Consultations

A total of four representations have been received opposing the development. A total of 15 representations have been received supporting the development. The Parish Council object to the development. All other statutory consultees have raised no objections subject to the imposition of conditions on any consent granted.

Planning Policy

The application site lies outside Limits to Development as defined in the adopted and submitted Local Plan. Also material to the determination of the application, however, is the supply of housing in the context of the National Planning Policy Framework (NPPF) and whether the scheme represents sustainable development.

Conclusion

As set out in the main report below, the proposal would be contrary to Policies S3 of the adopted and submitted Local Plans, as well as Policy S2 of the submitted Local Plan, and would result in a significant degree of harm to the rural environment by way of the loss of a greenfield site which is rural in appearance and poorly related to the main built up settlement of Heather. The resulting environmental harm from these impacts would significantly and demonstrably outweigh the social and economic benefits. Accordingly, the proposal cannot be considered to represent sustainable development and, therefore, the application is not considered to be acceptable in relation to the NPPF.

Therefore, it is recommended that the application be refused for these reasons.

RECOMMENDATION - REFUSE

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

Planning permission is sought for a residential scheme for up to 38 dwelling (outline - all matters reserved) at Swebstone Road, Heather. The application site which measures 2 hectares is located outside the Limits to Development as defined by the adopted and submitted Local Plans.

Whilst all matters are reserved for subsequent approval, an illustrative masterplan has been submitted showing the proposed dwellings, together with public open space and landscaping.

The following housing types are proposed:

22 x market houses
4 x self build dwellings
12 x affordable houses

The application is accompanied by a flood risk assessment, heritage report, archaeological desk-based assessment, ecological survey, building for life assessment, design and access statement, noise impact assessment, coal mining report and geotechnical desk study.

Relevant Planning History:

16/00617/OUTM - Residential scheme for up to 40 dwellings including a mix of local need, starter, affordable and market dwellings (outline - all matters reserved) - withdrawn.

2. Publicity

89 No neighbours notified (date of last notification 28/03/2017)

Site Notice displayed 28 March 2017.

Press Notice published Leicester Mercury 5 April 2017.

3. Summary of Consultations and Representations Received

A total of four letters/emails have been received objecting to the application on the following grounds:

- More housing in Heather is not sustainable;
- No public transport in Heather;
- Roads are already congested;
- Lack of infrastructure;
- Cumulative effects of other applications should be considered;
- Site is separate from the main built up area of Heather;
- No need for more housing in the area;
- Would not be compatible with adjacent use at Dawsons Yard;
- No transport assessment has been submitted;
- Site is outside the limits to development and not in accordance with the Local Plan.

A total of 15 letters/emails have been received supporting the application on the following grounds:

- Land is enclosed which would prevent further expansion;

- Site has been un-productive for years;
- Minimal effect on other houses;
- Would have a safe access;
- Ideally sited and sized development would be sympathetic to the village;
- Would represent sustainable development;
- Limited development would cause less strain on infrastructure;
- Will assist the younger generation getting on the housing ladder;
- There is a need for affordable properties in the village.

The full contents of these letters/emails are available for members to inspect on the case file.

Heather Parish Council objects to the proposal on the following grounds:

- outside the limits to development and not in accordance with S2 or S3;
- the school is full;
- there is no bus service;
- the doctors surgery is at capacity;
- there is no post office;
- there is no footpath from the application site to local services;
- would be close to an industrial site (Dawsons Yard);
- impact upon nearby listed buildings;
- highway safety issues;
- impact on sewage system.

Leicestershire County Council Archaeologist has no objections subject to conditions.

Leicestershire County Council Civic Amenity Team requests a developer contribution of £2484.

Leicestershire County Council Ecologist has no objections to the proposed development subject to conditions.

Leicestershire County Council Education Department requests a developer contribution of £69,749.61.

Leicestershire County Council Lead Local Flood Authority (LLFA) has no objections subject to conditions.

Leicestershire County Council Library Service Team requests a developer contribution of £1150.

Leicestershire County Council Highway Authority has no objections subject to conditions.

National Forest Company has no objections subject to conditions/obligations.

North West Leicestershire Contaminated Land Officer has no objections subject to conditions.

North West Leicestershire Environmental Protection Section has no objections.

Severn Trent Water has no objection to the proposal subject to the imposition of conditions.

4. Relevant Planning Policy

National Policies

National Planning Policy Framework

The NPPF (paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

Save where stated otherwise, the policies of the adopted Local Plan as listed in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraph 7 (Achieving sustainable development)
Paragraph 14 (Presumption in favour of sustainable development)
Paragraph 17 (Core planning principles)
Paragraph 28 (Supporting a prosperous rural economy)
Paragraph 32 and 34 (Promoting sustainable transport)
Paragraph 47, 49 and 55 (Delivering a wide choice of high quality homes)
Paragraph 57, 59, 60 and 61 (Requiring good design)
Paragraph 100, 101, 103 (Meeting the challenge of climate change, flooding and coastal change)
Paragraph 109, 112, 118, 123 and 124, (Conserving and enhancing the natural environment)
Paragraph 131, 132, 134, 137 and 141 (Conserving and enhancing the historic environment)
Paragraph 203 and 204 (Planning conditions and obligations)

Adopted North West Leicestershire Local Plan (2002)

The North West Leicestershire Local Plan forms the development plan and the following policies of the Local Plan are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application:

Policy S3 - Countryside
Policy E2 - Landscaped Amenity Open Space
Policy E3 - Residential Amenities
Policy E4 - Design
Policy E7 - Landscaping
Policy F1 - National Forest General Policy
Policy F2 - National Forest Tree Planting
Policy F3 - National Forest Landscaping and Planting
Policy T3 - Highway Standards
Policy T8 - Parking
Policy H4/1 - Housing Land Release
Policy H6 - Housing Density
Policy H7 - Housing Design
Policy H8 - Affordable Housing
Policy L21 - Children's Play Areas

Submitted North West Leicestershire Local Plan

The publication version of the Local Plan was agreed by Council on 28 June 2016 and submitted for examination on 4 October 2016. Examination hearing sessions were held in January and March 2017 and the Council commenced consultation on its Main Modifications on 12 June 2017. The weight to be attached by the decision maker to this submitted version (as proposed to be modified) should be in accordance with the approach set out in Paragraph 216 of the NPPF, having regard to the stage now reached towards adoption, the extent to which there are unresolved objections to the policies relevant to the determination of this application, and the degree to which the emerging policies are consistent with the NPPF.

S1 - Future housing and economic development needs
S2 - Settlement Hierarchy
S3 - Countryside
D1 - Design of new development
D2 - Amenity
H4 - Affordable Housing
IF1 - Development and Infrastructure
IF4 - Transport Infrastructure and new development
IF7 - Parking provision and new development
En1 - Nature Conservation
En3 - The National Forest
Cc2 - Flood risk
Cc3 - Sustainable Drainage Systems

Other Policies

North West Leicestershire District Council Affordable Housing SPD

Key Principle AH2 provides that affordable housing will be sought on all sites of 5 or more dwellings in the Heather area

Key Principle AH3 requires a minimum of 30% of residential units to be available as affordable housing within the Heather area.

North West Leicestershire District Council Play Area Design Guidance SPG

The District Council's Play Area Design Guidance SPG sets out the requirements in respect of children's play provision in association with residential development.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6Cs Design Guide (Highways, Transportation and Development) - Leicestershire County Council

The 6Cs Design Guide sets out the County Highway Authority's requirements in respect of the design and layout of new development.

5. Assessment

Principle and Sustainability

In accordance with the provision of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the Development Plan which, in this instance, includes the adopted Local Plan (2002 (as amended)).

The application site lies outside the defined Limits to Development with residential dwellings not being a form of development permitted by Policy S3 of the adopted Local Plan, or Policy S3 of the submitted Local Plan.

The NPPF requires that the District Council should be able to identify a five year supply of housing land with an additional buffer of 5% or 20% depending on its previous record of housing delivery. The District Council is able to demonstrate a five year supply of housing (with 20% buffer) against the requirements contained in the submitted Local Plan.

Paragraph 17 of the NPPF highlights the need to recognise the intrinsic character and beauty of the countryside, but does not specifically preclude development within the countryside. Consideration must therefore be given to whether the proposals constitute sustainable development (inclusive of its economic, social and environmental roles) given the presumption in favour of such as set out in the NPPF. Further consideration of the proposals' compliance with the three dimensions of sustainable development is set out below.

In respect of social sustainability, it is noted that third party representations have been received which comment that Heather is not socially sustainable, however the District Council considers Heather to be a sustainable settlement for new residential development given the range of services available, including a shop, primary school and nursery, public houses, church and recreation ground as well as some limited employment uses at Dawsons Yard and along Mill Lane. It is also recognised that Policy S2 of the submitted Local Plan, which can be attached some weight in the decision making process, highlights that Heather is a 'Sustainable Village' where a limited amount of growth will be permitted although it does refer to sites which are located within the limits to development which this site is not. The scheme includes for the inclusion of a new footpath on the northern side of Sweystone Road in order to access the services identified above.

Having regard to the location of the site it is considered that residents of the proposed development would have access to some services which would meet their day to day needs (e.g. a shop, school, pubs), with other facilities and employment opportunities being accessible on foot but it is noted that the site is physically separate to and located on the edge of the settlement, with the result that these services are more distant. The provision of 38 dwellings could result in future residents also assisting in sustaining these services for the future, which is a key intention of Paragraphs 28 and 55 of the NPPF.

From a social perspective the development would provide 38 dwellings with the following housing typologies proposed:

22 x market houses
4 x self build dwellings
12 x affordable houses

The provision of self-build dwellings and the full 30% affordable housing requirement would make some contribution towards the social dimensions of the scheme. In addition, it is

accepted that the development has some potential to make some contribution to the economic dimension by virtue of the growth associated with the proposed development (as would be expected from any residential scheme).

In terms of environmental sustainability the site is greenfield land. The site is outside the defined Limits to Development and therefore the 'principle' of the proposal would be in direct conflict with Policies S3 of the adopted and submitted Local Plans. It is also noted that whilst Policy S2 of the submitted Local Plan identifies that Heather is a sustainable village, it does specify that any 'growth' should be accommodated on land within the Limits to Development. Such policies are supported by the principles of the NPPF and the ministerial letter from Brandon Lewis of the 27th March 2015 urging Inspectors to protect the intrinsic beauty of the countryside.

However, as highlighted above, given that the NPPF does not necessarily preclude development on greenfield land and determination would need to be made as to whether the proposed dwellings would impact adversely on the rural environment as specified at Paragraph 17 of the NPPF.

On the basis of the Proposals Map to the adopted and submitted Local Plan, the application site would not abut the defined Limits to Development and is divorced from the existing settlement of Heather. The site is rural in nature and the proposal would result in significant harm to the character and appearance of the locality. The development of this site would result in an incongruous development in the countryside which would be contrary to the advice in the NPPF. It is considered that the landscape and visual impact of up to 38 dwellings on the site would be significantly harmful and the proposed development would not be in keeping with the character and appearance of the surrounding area.

In conclusion, the proposal would be contrary to Policies S3 of the adopted and submitted Local Plans, as well as Policy S2 of the submitted Local Plan, and would result in a significant degree of harm to the rural environment by way of the loss of a greenfield site which is rural in appearance and divorced from the main built up settlement of Heather. The resulting environmental harm from these impacts would significantly and demonstrably outweigh the social and economic benefits. Accordingly, the proposal cannot be considered to represent sustainable development and, therefore, the application is not considered to be acceptable in relation to the NPPF.

Detailed Issues

In addition to the principle of development, consideration of other issues relevant to the application is set out in more detail below.

Means of Access and Transportation

All matters are reserved for subsequent approval including the access point into the site and the internal access arrangements. The illustrative layout shows internal access roads and a new vehicular access in the north-eastern section of the site. However, these access arrangements would be a matter for the reserved matters stage(s).

The application is accompanied by a design and access statement which indicates that a new pedestrian footpath would be provided and that the 30mph signage would be relocated. The County Highway Authority (CHA) has reviewed the submitted information and raises no objections to the proposal providing that the reserved matters submission includes for the

downgrading of the existing service road to Dawsons Yard. Suitable conditions and legal obligations would need to be included if planning permission were to be granted and would need to secure details of the routeing of construction traffic along with other contributions in respect of public transport.

In conclusion, the County Highway Authority raises no highway safety objections to the proposed scheme subject to the inclusion of relevant conditions and obligations. Taking these matters into account, therefore, the proposed development is considered acceptable in terms of Means of Access and Transportation issues and would comply with Policy T3 in the adopted Local Plan, Policy IF4 in the submitted Local Plan and the advice in the NPPF.

Neighbours' Amenities

The impacts on neighbouring occupiers arising from the proposed development would need to be assessed at the reserved matters stage(s); notwithstanding the details shown on the illustrative layout, there would appear to be no reason in principle why up to 38 units could not be provided on the site in a manner which would not significantly adversely impact upon neighbours' amenities.

The application is accompanied by a noise report given that the application site is located directly adjacent to the Dawsons Yard industrial estate. This report concludes that a residential development could be located on the site without causing significant disturbance to internal noise levels and external garden areas of the proposed properties and that no additional mitigation measures would be required.

The District Council's Environmental Protection team has reviewed the submitted information and has no objections and it is not considered that the proposal would result in significant adverse impacts on health or quality of life. Accordingly, the requirements under Policy E3 of the adopted Local Plan and D2 of the submitted Local Plan are considered to have been met by the scheme and the proposal would not conflict with paragraph 123 of the NPPF.

Design

The proposed scheme includes for an illustrative layout which is identical to that which was submitted and assessed by the District Council's Urban Designer as part of planning application 16/00617/OUTM. The previous assessment rated the scheme in accordance with CABE's Building for Life 12 criteria which scores on the basis of red/amber/green. The Council's Urban Designer at the time raised some concerns over the proposal. These concerns included issues regarding the amount of development and form of development especially as no illustrative layout was submitted with the original application.

The applicant's agent submitted a more detailed illustrative layout, which has also been submitted as part of the current application, showing how the dwellings could be positioned on the site with areas of public open space. It is accepted that the majority of these issues would need to be fully addressed by reserved matters. Suitable conditions and notes to applicant can be provided to indicate that the design concerns would need to be fully addressed as part of any future reserved matters application(s).

Therefore, whilst the scheme in outline cannot be assessed fully against Building for Life, it is considered that it has been demonstrated that, in principle, an appropriate scheme for up to 38 dwellings could be satisfactorily developed on the site, and would comply with Policy E4 of the adopted Local Plan, Policy D1 of the submitted Local Plan and advice in the NPPF.

Density

Adopted Local Plan Policy H6 provides that, for sites of 0.3 hectares and above, residential development should meet a minimum density of 40 dwellings per hectare within locations well served by public transport and accessible to services, and a minimum density of 30 dwellings per hectare elsewhere.

The application site area is given as 2.00 hectares and the maximum of 38 dwellings proposed by the developer would therefore equate to a maximum density of 19 dwellings per hectare, which would fall short of the requirements set out in Policy H6. However, when considering that parts of the site would be taken up by the creation of landscaping and public open space, the net dwelling density would be higher and more in-line with that stated in Policy H6. It is also recognised that a reduced density would be more appropriate in this edge of settlement location. Therefore, the scheme is considered to have an appropriate density.

Ecology and Trees

The application is supported by an ecological appraisal. The appraisal concludes that the proposed development of the site will have no adverse effect on any protected species on site or in the immediate and wider local area. No further mitigation measures are deemed to be required by the submitted ecological appraisal.

There are trees and hedges on the site boundaries which may provide suitable habitat for protected species. The majority of hedgerows and trees are to be retained although there could be some impacts in respect of the access point along Sweptstone Road although the extent of tree/hedgerow loss would need to be considered further at the reserved matters stage. In the event that planning permission were to be granted, conditions could be attached to any planning permission requiring root protection areas to be specified at the reserved matters stage.

Leicestershire County Council's ecologist considers that the ecology report is satisfactory and accepts the assessment that there will be no significant impacts subject to conditions if planning permission were to be granted.

Therefore, subject to the imposition of suitably-worded conditions and notes to applicant the submitted scheme is considered acceptable in ecological terms and in respect of the impact upon trees. The scheme is, therefore, acceptable in relation to Policy E7 of the adopted Local Plan, En1 of the submitted Local Plan and the advice in the NPPF.

Flood Risk and Drainage

A Flood Risk Assessment (FRA) has been submitted in support of the application. The Environment Agency flood zone maps indicate that the site lies within Flood Zone 1, and on this basis the site would appear suitable for development in principle (and in flood risk sequential terms, would meet the requirements of the NPPF).

It is proposed to manage surface water run-off from the development through the implementation of a sustainable drainage system, limiting the proposed maximum discharge rate to the site-specific greenfield rate, providing on-site attenuation in the form of a pond located within the proposed public open space.

Overall, in terms of issues of Flood Risk and Drainage, it is considered that the scheme is

acceptable, and would provide for appropriate drainage solutions to accommodate the proposed development. In coming to this conclusion it is noted that the LLFA and Severn Trent Water raise no objections to the proposed development subject to the inclusion of relevant planning conditions and notes to applicant.

Archaeology

The Leicestershire and Rutland Historic Environment Record (HER) notes that the site is located within an area of archaeological interest. An archaeological desk-based assessment has been submitted which confirms that there is good potential for the presence of archaeology but that there has been ground disturbance on the site.

On the basis of this information, the County Archaeologist has confirmed that the required archaeological investigation can be secured through suitable worded planning conditions. Therefore, the development is deemed to be compliant with Paragraph 141 of the NPPF and Policy He1 of the submitted Local Plan.

Heritage

Heather Hall is a Grade II listed building located to the west of the application site. On the basis of the heritage report that has been submitted, the Council's Conservation Officer considers that any harm arising from the proposed development could be mitigated through careful landscaping and ensuring that the access into the site is utilised rather than a new access being formed closer to Heather Hall. Such matters would need to be considered further at the reserved matters stage although it is clear that it would be possible to site up to 38 dwellings on the site without causing any harm to heritage assets.

On this basis, the scheme is considered to be acceptable in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the advice in the NPPF.

Developer Contributions

Paragraphs 203 and 204 of the NPPF set out the Government's policy in respect of planning obligations and, in particular, provide that planning obligations should be:

- necessary to make the proposed development acceptable in planning terms;
- directly related to the proposed development; and
- fairly and reasonably related in scale and kind to the proposed development.

Equivalent legislative tests are contained within the Community Infrastructure Levy (CIL) Regulations 2010.

The requested developer contributions are listed below.

Affordable Housing

The Council's SPD on affordable housing indicates that for developments of this scale in the Ravenstone area 30% of the units should be provided as affordable housing (i.e. 12 units, assuming the construction of the maximum 38 dwellings as proposed). In terms of tenure split, the District Council's Affordable Housing Enabler advises that a tenure split of 80% affordable rented and 20% shared ownership would be sought and the District Council's Strategic Housing Team is seeking the following:

Affordable Rented - 9
2 x 1 bed homes

3 x 2 bed homes
3 x 2 bed homes (bungalows)
1 x 3 bed home

Shared ownership - 3
2 x 3 bed home
1 x 2 bed home

However, it is accepted that the current requirements are likely to change over time, and it is considered appropriate for the Section 106 agreement to secure a minimum of 30% (and including the tenure split suggested above) with the actual contribution in terms of unit types to be agreed by the District Council.

Transportation Contributions

The County Highway Authority has requested the following developer contributions, required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, reducing car use and highway safety:

- Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).
- 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £350.00 per pass - NOTE it is very unlikely that a development will get 100% take-up of passes, 25% is considered to be a high take-up rate).

The County Highway Authority have also requested that details of the routing of construction traffic be included in the legal agreement. The applicant is agreeable to making this contribution.

Education

In respect of the proposed education contributions, Leicestershire County Council comments as follows:

Primary School Requirements

The site falls within the catchment area of Heather Primary School. The School has a net capacity of 112 and 125 pupils are projected on the roll should this development proceed; a deficit of 13 pupil places. No pupil places at this school are currently funded by S106 agreements for other developments in this area.

There are two other Primary Schools within a 2 mile walking distance of the site, Ibstock Junior and Ibstock St Deny's C of E Primary which have a combined surplus of 14 pupil places. As there is an overall surplus in this sector after including all primary schools within a two mile walking distance of the development of 14 pupil places, no education contribution has been requested for this sector.

High School Requirements

The site falls within the catchment area of Ibstock Community College. The School has a net capacity of 705 and 820 pupils are projected on the roll should this development proceed; a deficit of 115 pupil places. There are 162 pupil places at this school being funded by S106

agreements from other developments in the area to be discounted which reduces the deficit at this school and creates a surplus of 47 pupil places. On this basis, an education contribution has not been requested for this sector.

Upper School Requirements

The site falls within the catchment area of Ashby School, which has a net capacity of 1842 and 2017 pupils are projected on roll should this development proceed; a deficit of 175 pupil places. A total of 153 pupil places are being funded at this college from S106 agreements for other developments in this area which need to be discounted and reduces the total deficit to 22 pupil places (of which 18 are existing and 4 are generated by this proposed development). There are no other upper schools within a three mile walking distance of the site and an education contribution in this sector is therefore justified. As such, £69,749.61 is requested which would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Ashby School. The applicant is agreeable to making this contribution.

Children's Play Equipment

There is an existing children's play area on Swepstone Road which would be less than 400 metres from the proposed site. As such, no on-site play area is proposed under this application although a contribution towards the maintenance and enhancement of existing recreation and children's play areas within the village will be sought. The precise contribution required would be secured through a S106 agreement and the applicant is agreeable to making this contribution.

Library Services

The proposed development is within 5.3km of Measham Library and the proposal would impact on local library services in respect of additional pressures on the availability of local library facilities. Therefore, a library contribution of £1,150 is requested. The applicant is agreeable to making this contribution.

Civic Amenity

The nearest Civic Amenity Site is located in Coalville. The proposal would impact on this site in respect of additional waste which would not exist but for the proposed development. Therefore, a civic amenity contribution of £2,484 is requested. The applicant is agreeable to making this contribution.

National Forest Planting

The application site extends to 2ha and the National Forest Company's (NFC) Planting Guidelines, as set out in the Guide for Developers and Planners, expects 20% of the site area to be for woodland planting and landscaping. This would equate to 0.4ha in this instance.

The NFC raises no objection subject to either 0.4ha of on-site woodland planting being shown at the reserved matters stage or a financial contribution of £8,000 in lieu of this on-site planting. In the event that planning permission is granted, this would need to be secured by condition or legal obligation.

Subject to the inclusion of relevant conditions and obligations the National Forest Company raise no objection to the proposed development.

Conclusions

As set out in the main report above, the proposal would be contrary to Policies S3 of the adopted and submitted Local Plans, as well as Policy S2 of the submitted Local Plan, and would result in a significant degree of harm to the rural environment by way of the loss of a greenfield site which is rural in appearance and divorced from the main built up settlement of Heather. The resulting environmental harm from these impacts would significantly and demonstrably outweigh the social and economic benefits. Accordingly, the proposal cannot be considered to represent sustainable development and, therefore, the application is not considered to be acceptable in relation to the NPPF.

Therefore, it is recommended that the application be refused for these reasons.

RECOMMENDATION - REFUSE for the following reasons:

- 1 Paragraph 17 of the NPPF states that planning decisions should recognise the intrinsic character and beauty of the countryside. Policy S2 of the submitted Local Plan allows for limited growth within limits to development and Policy S3 of the adopted and submitted Local Plan set out the circumstances in which development outside limits to development would be acceptable. The land that forms the application is a greenfield site, located outside of the limits to development as defined in the adopted and submitted Local Plans and is poorly related to the existing settlement. The proposal would result in significant harm to the character and rural appearance of the locality and any development on this site would appear as an unwarranted and incongruous intrusion into the countryside. Approval of the application would result in the unnecessary development of land located outside limits to development, not constituting sustainable development, and contrary to the policies and intentions of the NPPF and Policy S2 and S3 of the adopted and submitted Local Plans.

Notes to applicant

- 1 Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. In the Local Planning Authority's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. The Local Planning Authority has therefore complied with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.