

Planning Committee 10 October 2017
Report of the Head of Planning and Development

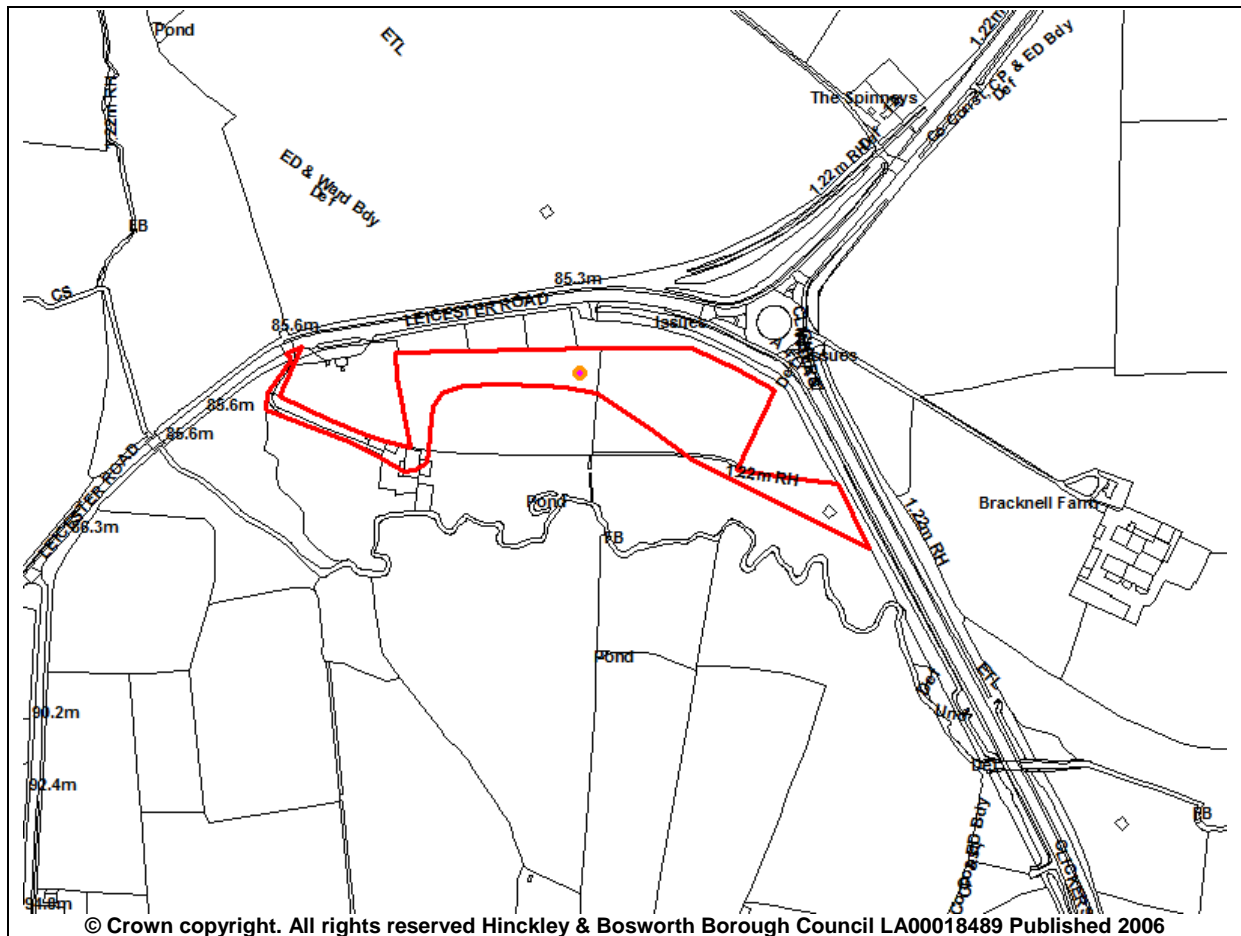


Hinckley & Bosworth
Borough Council

Planning Ref: 17/00734/OUT
Applicant: Mr Maurice Black
Ward: Earl Shilton

Site: Land Adjacent To Dalebrook Farm Leicester Road Earl Shilton

Proposal: Residential development up to 49 dwellings (Outline - all matters reserved)



1. Recommendations

1.1. Refuse planning permission subject to:

- The reasons at the end of this report.

2. Planning Application Description

- 2.1. The application seeks planning permission with all matters reserved for the erection of residential development for up to 49 dwellings.
- 2.2. Whilst all matters are reserved an indicative site plan has been provided which shows how the access will utilise the existing access off Leicester Road and where dwellings can be provided on site.

- 2.3. The design and access statement indicates the scale of the proposed dwelling houses is to be no larger than;
- Width 4.5-7.5 metres
 - Depth 7.5 -12 metres
 - Ridge height 7.5 – 10 metres
- 2.4. All other details such as material, landscaping, internal road layout will be determined at reserved matters stage.

3. Description of the Site and Surrounding Area

- 3.1. The application site, known locally as Dalebrook Farm, is located on the south side of Leicester Road close to the roundabout junction with Clickers Way (A47). The site is located to the north of the settlement boundary of Earl Shilton and is approximately 5.65 acres in size. The site is in open countryside in a highly prominent location.
- 3.2. To the west of the site is a detached dwelling which was formerly a petrol filling station with open fields to the north, south and west. A bridleway (Ref. T86) sits opposite the site access.
- 3.3. Owing to the site being lower in ground level than the surrounding roads and immature landscaping to the boundary, the site is in a prominent and open location. There are views directly into the site from the roundabout and from Leicester Road and Clickers Way. Clickers Way is a relatively new road therefore planting on the edges of the roundabout is still in its infancy. This lack of mature boundary treatment provides for views directly into the site. The land falls quite significantly to the south towards Thurlaston Brook.
- 3.4. The site access partially falls within Flood Zones 2 and 3 of Thurlaston Brook that runs east to west to the south of the application site. Flood zones 2 and 3 are higher risk areas for flooding.
- 3.5. Access to the site is currently off Leicester Road. The current use of the site is for a gypsy and traveller site for up to 20 pitches, although at the time of the site visit only 2 caravans were noted on site.

4. Relevant Planning History

94/00696/GDO	AGRICULTURAL STORAGE BUILDING	GDO	23.09.1994
08/00004/FUL	EXTENSION AND ALTERATION TO BUNGALOW	WDN	22.02.2008
11/00158/COU	CHANGE OF USE OF LAND TO GYPSY SITE FOR FOUR CARAVANS	WDN	04.05.2011
13/00395/COU	Change of use to a 10 pitch caravan site and part demolition of buildings	PER	10.07.13
The application site for this proposal sits to the west of the current application site and utilises the same access from Leicester Road.			
	Erection of agricultural	GDO	06.10.2015

15/00959/GDO	building		
15/01089/COU	Change of use from agriculture to a ten pitch gypsy/traveller site with associated infrastructure and landscaping	PER	09.02.2016

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.

5.2. Twelve letters of objection has been received from five different address; the issues raised are summarised below:

- 1) Issue has already been settled and the resolution of 40 more houses was the outcome of meeting
- 2) No infrastructure to support scheme
- 3) Water may possibly be susceptible to contamination
- 4) Still believe that site is unsuitable due to regular flooding
- 5) When moved in 7 years previous they were promised its would be rural countryside
- 6) Detract from the natural beauty of the area
- 7) More suitable locations for mobile and static homes
- 8) As the crime rate has increased so has the number of gypsy and traveller sites
- 9) Concerned about the road safety issues where would the entrance be
- 10) Site does not follow regulations already laid down
- 11) Site will not be policed
- 12) Fly tipping in the area will escalate
- 13) Council will not be able to over see the planning
- 14) No provision made for the Public Footpath T86

Thirty three letters of support have been received from 33 different addresses; the issues raised are summarised below;

- 1) The site will look tidier as a housing site
- 2) Better use of the land
- 3) There is a need for housing in the village

6. Consultation

6.1. Leicestershire County Council (Highways) has stated that there is insufficient evidence to make a full reasoned decision by the highway authority.

6.2. Comment received from:

- HBBC Environmental Services (Drainage) agrees with LCC drainage(see 6.4 below)

- HBBC affordable housing – comments on desired tenure split.

6.3. No objections received from:

- HBBC Environmental Services (Pollution) conditions relating to noise survey imported material.
- HBBC Waste Services – condition relating to bin storage/ waste collection points.
- LCC Archaeology – condition relating to written scheme of investigation
- NHS West Leicestershire CCG

6.4. Objections received from:

- Environmental Agency – insufficient information
- LCC Public Rights Of Way – insufficient information
- National Grid (holding objection) – insufficient information overhead line easement across site.
- LCC Drainage – insufficient information

7. Policy

7.1. Core Strategy (2009)

- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design
- Policy 19: Green Space and Play Provision

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Ecological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2012)
- Planning Practice Guidance (PPG)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Established principle of residential development
- Impact on the character of the area
- Impact upon highway safety and public rights of way
- Drainage and flood risk
- Ecology
- Archaeology
- Planning obligations

Assessment against strategic planning policies

- 8.2. Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990) requires that planning applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
 - 8.3. Paragraph 12 of the NPPF states that the development plan is the starting point for decision making and that proposed development which conflicts should be refused unless other material considerations indicate otherwise. Paragraph 13 confirms that the NPPF constitutes guidance and is a material consideration in determining planning applications.
 - 8.4. The development plan in this instance consists of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document. These adopted documents contain relevant policies in relation to the borough.
 - 8.5. From the most up to date figures available, as at 1 April 2017 the authority is able to demonstrate a 5.74 year housing land supply of deliverable sites within the borough and therefore the relevant policies for the supply of housing within the development plan (Core Strategy and SADMP) can be considered up-to-date in accordance with paragraph 49 of the NPPF.
 - 8.6. The adopted Core Strategy (2009) identified and provides allocations for housing and other development in a hierarchy of settlements within the borough. The application site is outside of any defined settlement boundary and is within highly visible and open countryside. The site lies outside of the settlement boundary of Earl Shilton by 0.5 miles as defined by the SADMP. It is 1.1km to the centre of Earl Shilton
 - 8.7. Policy DM4: safeguarding the Countryside and Settlement is the most relevant policy. It seeks to protect its intrinsic value, beauty, open character and landscape character; the countryside will first and foremost be safeguarded from unsustainable development. Development in the countryside will be considered sustainable where:
 - a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - c) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
 - d) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.
- and:
- i) It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and

- ii) It does not undermine the physical and perceived separation and open character between settlements; and
- iii) It does not create or exacerbate ribbon development;
- iv) If within a Green Wedge, it protects its role and function in line with Core Strategy Policies 6 and 9; and
- v) If within the National Forest, it contributes to the delivery of the National forest Strategy in line with Core Strategy Policy 21

8.8. The proposal for residential development in this location is not a form of development supported by DM4 and it is considered the scheme would have significant adverse impact on the open character of the site. The scheme would be in clear conflict with the development plan policy in this area. In the absence of any special circumstances to justify residential development in this location it is considered the development of this site for residential purposes is unacceptable. The development is therefore contrary to Policy DM4 of the SADMP.

Established principle of residential development

- 8.9. The current use of the site is for a gypsy and traveller site which was approved under planning permission (refs: 13/00395/COU & 15/01089/COU) for the change of use - Change of use from agriculture to a ten pitch gypsy/traveller site with associated infrastructure and landscaping.
- 8.10. The applicant has asserted the granting of the above permission has now established a principle of residential development on the site. Owing to this established use, the current proposal for residential development, (which is outside of the settlement boundary and contrary to current local plan policy), should be approved.
- 8.11. It is considered a gypsy/traveller site is a distinctly different form of development to that of purpose-built residential development. The appearance, temporary nature of the caravans, general comings and goings and nature of a gypsy/ traveller site cannot be considered an established form of residential development which is comparable to that of a purpose built planned and permanent form of residential development. This view is further supported by the Use Classes Order, which places a gypsy/traveller site in a completely different use class (Sui Generis) to that of residential development (use class C3). The result of this distinction means the site does not benefit from an established residential use class.
- 8.12. Furthermore, the assessment which was been undertaken in the previous approval for the gypsy and traveller use, was against specific policies relating to gypsy and traveller use, not residential development, owing to the temporary nature of 'pitches' as opposed to 'dwellings' and the requirement for a provision within the local plan for traveller pitches.

Design and impact upon the character of the area

- 8.13. Policy DM4 of the adopted SADMP requires that development in the countryside does not have an adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside, does not undermine the physical and perceived separation and open character between settlements and does not create or exacerbate ribbon development.
- 8.14. Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area.

- 8.15. With regards to the existing use, whilst it is acknowledged there is an impact on the character and appearance of the open countryside as a result of the approval for gypsy/traveller site, the reason for granting of planning permission was clearly justified and the planning balance was clearly weighed. It was considered very special circumstances were demonstrated to mitigate the harm to the character and appearance of the countryside. The previous permission considered the need for additional pitches within the borough at that time. It was considered the site would contribute significantly to meeting the borough's future allocation for gypsy and traveller sites. The planning balance weighed in favour of the provision for traveller pitches. The impact on the countryside was considered and mitigation measures were approved in the form of landscaping in order to offset the impact from the caravan site.
- 8.16. It is considered the development of the site for caravan pitches and permanent brick built dwelling houses are two very distinct forms of development. Owing to the modest scale of caravans it is considered the gypsy use of the site will have a less urbanising impact on the open character of the countryside than that of 49 two storey residential dwellings and associated infrastructure.
- 8.17. The current proposal for 49 residential dwellings, will be clearly visible from all aspects of the site and would introduce an urbanising form to this area of the countryside. The settlement boundary is 0.5 miles away, therefore the development would not be read against the existing settlement boundary and would be clearly independent and separate to Earl Shilton. Owing to the considerable impact of the built form on the intrinsic open nature of the countryside in this location, it is considered the development is wholly inappropriate in this location and contrary to local plan policy DM4 of the SADMP.
- 8.18. It is considered that the proposed development would not complement the existing surrounding countryside location and the intrusion into the countryside would adversely impact on the rural character of the countryside setting. The proposed development would be contrary to Policies DM4 and DM10 of the SADMP.

Impact upon highway safety and public rights of way

- 8.19. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision
- 8.20. The Local Highways Authority considers the proposal for 49 residential dwellings on this site differs considerably in so far as the volume of traffic movements that could be expected to use the access. Whilst the LHA did not object to the previous use, given the distinct difference between the two uses, it considers additional information is required in order to assess the impact of the residential development on the wider highways network. The LHA has stated it is unable to provide an 'in principle' response to the present, all matters reserved application as it does not provide sufficient details of the access proposals. The agent has contended the residential development will actually result in a reduced number of trips to and from the site than the existing use would create (20 pitches). However no further evidence has been provided to demonstrate this assertion, therefore no weight has been given this argument.
- 8.21. In the absence of sufficient information to assess the impact of the development on the highway network the application is contrary to Policy DM17 of the SADMP.
- 8.22. Public Footpath T86 runs through the proposed development site. The footpath is not depicted on the plans or discussed in the documents submitted with the application. It is accepted the layout is only indicative, however some it would be expected the Public Right of Way would be addressed within the application documentation. If members were minded to approve the proposal a detailed condition would be required ensuring details of

the footpath were submitted prior to the commencement of development to ensure the footpath is made available for public use at all times.

Drainage

- 8.23. The National Planning and Policy Framework (Para 109) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.
- 8.24. Policy DM7 of the SADMP seeks to ensure that surface water and groundwater quality are not adversely impacted by new development and that it does not exacerbate flood risks.
- 8.25. The proposed residential development lies within Flood zone 1 (low probability of flooding) however the access road lies partly within flood zones, 1 (low risk), Flood Zone 2 (medium probability) and Flood zone 3 (high probability).
- 8.26. The FRA has identified a risk of flooding for some parts of the site. The flood depth along the access road in the south western part of the site could be potentially up to 600mm. It has also been highlighted some plots in the western, eastern and north eastern edge of the residential development part of the site could be flooded to a depth of 150mm to 300mm. Flood mitigation methods have been outlined in the FRA however comments are still awaited from the Environment Agency and Local Flood Risk Authority (LCC).

Ecology

- 8.27. Policy DM6 of the adopted SADMP (Enhancement of Biodiversity and Geological Conservation) requires development proposals to demonstrate how they conserve or enhance features of nature conservation value. On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long term.
- 8.28. No information has been submitted in regards to ecological issues as part of this application. Comments are still awaited from LCC ecology officers and will be reported in the late representations document at planning committee.

Archaeology

- 8.29. Policies DM11 and DM13 of the adopted SADMP and Section 12 of the NPPF would be relevant to the consideration of any application on the site. These policies seek to protect, conserve and enhance the historic environment including archaeology.
- 8.30. LCC archaeology officers have advised the site lies within an area of archaeological interest therefore it is advised an initial phase of exploratory trial trenching, with a further phase of mitigation to be informed by the trial trenching should be undertaken. These details could be secured by condition.
- 8.31. No objections have been received from LCC Archaeology officers

Planning obligations

- 8.32. Policy DM3 of the SADMP seeks to ensure that where development creates a need for additional or improved infrastructure, amenities or facilities, developers will be expected to make such provision directly or indirectly through the appropriate funding mechanism. The planning practice guidance states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres. The development relates to 49 dwellings and therefore the following contributions in accordance with policies in the Development Plan are sought.

- Affordable housing

- 8.33. Policy 15 of the Core Strategy expects a proportion of affordable housing to be provided on eligible sites. The starting point for the level and target for affordable housing in rural areas is 40% on sites of 4 dwellings or more.
- 8.34. Following discussions with the Housing Strategy officer it is considered the site is within the rural area of the borough and therefore the policy requirement is for 40% on site affordable housing. Of these dwellings 75% should be for affordable rented housing and 25% for intermediate tenure. This provision should be secured via S106 obligations.
- 8.35. To date, no heads of terms have been submitted with the application.

- Education

- 8.36. Primary contribution £0.00: The site falls within the catchment area of Weaver's Close C of E Primary School. The School has a net capacity of 210 and 296 pupils are projected on the roll should this development proceed; a deficit of 86 pupil places. A total of 47 pupil places are included in the forecast for this school from S106 agreements for other developments in this area and have to be deducted. This reduces the total deficit for this school to 39 pupil places (of which 27 are existing and 12 are created by this development).
- 8.37. There is 1 other primary school within a two mile walking distance of the development. Townlands C of E Primary School Surplus 39 (no S106 funded places)
- 8.38. There is an overall deficit/surplus in this sector after including all primary schools within a two mile walking distance of the development of 0 pupil places. An education contribution will therefore not be requested for this sector.
- 8.39. Secondary school contributions - £177,557.63.
- 8.40. The site falls within the catchment area of Heath Lane Academy. The Academy has a net capacity of 784 and 1271 pupils are projected on roll should this development proceed; a deficit of 487 pupil places after taking into account the 8 pupils generated by this development. A total of 455 pupil places are included in the forecast for this school from S106 agreements for other developments in this area and have to be deducted. This reduces the total deficit for this school to 32 pupil places (of which 22 are existing and 10 are created by this development).
- 8.41. There are no other 11-18 schools within a three mile walking distance of the site. A claim for an education contribution in this sector is therefore justified.
- 8.42. In order to provide the additional 11-18 school places anticipated by the proposed development, the County Council requests a contribution for the 11-18 school sector of £177,557.63. Based on the table above, this is calculated the number of deficit places created by the development (9.8) multiplied by the DFE cost multiplier in the table above (£18,118.13) which equals £177,557.63.
- 8.43. This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Heath Lane Academy or any other school within the locality of the development.
- 8.44. The contribution would be spent within 5 years of receipt of final payment.

- Civic amenities

- 8.45. The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of £2427.0 (rounded up to the nearest pound).
- 8.46. The contribution is required in light of the proposed development and was determined by assessing which civic amenity site the residents of the new development are likely to use and the likely demand and pressure a development of this scale and size will have on the existing local Civic Amenity facilities. The increased need would not exist but for the proposed development.
- 8.47. The nearest Civic Amenity Site to the proposed development is located at Barwell and residents of the proposed development are likely to use this site. The calculation was determined by a contribution calculated on 49 units multiplied by the current rate for the Barwell Civic Amenity Site of £49.53 (subject to Indexation and reviewed on at least an annual basis) per dwelling/unit = £2427.0 (rounded up to the nearest pound).
- 8.48. This would be used to mitigate the impacts arising from the increased use of the Civic Amenity Site associated with the new development (In 2012/13 (latest figures available) the Civic Amenity Site at Barwell accepted approximately 7,874 tonnes per annum) for example by the acquisition of additional containers or the management of traffic into and out of the civic amenity site to ensure that traffic on adjoining roads are not adversely affected by vehicles queuing to get into and out of the Civic Amenity Site.
- 8.49. Each household in Leicestershire in 2012/13 delivered on average approximately 0.276 tonnes of municipal waste to a Civic Amenity Site. On this basis the proposed development of 49 dwellings would generate over 13 tonnes of additional Civic Amenity waste at the Barwell Civic Amenity Site. The proposed development would place additional demand on the Barwell Civic Amenity Site and the request for the Civic Amenity developer contribution would meet the demands placed on the site as a result of the proposed development

- Library facilities contribution - £1,480

- 8.50. The library facilities contribution is outlined in the Leicestershire Planning Obligation Policy (adopted 3rd December 2014). The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area.
- 8.51. The proposed development on Leicester Road, Earl Shilton is within 1.6km of Earl Shilton Library on Wood St being the nearest local library facility which would serve the development site. The library facilities contribution would be £1,480 (rounded to the nearest £10).
- 8.52. It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for research and study materials e.g. books, etc. for loan and reference use to account for additional use from the proposed development. It will be placed under project no. EAR003, currently one other obligation under EAR003 (subject to change due to future priorities of the library service).
- 8.53. The Leicestershire Small Area Population and Household Estimates 2001-2004 gives the settlement population for Earl Shilton library at approximately 9,250 people. The library has an active borrower base of 2,255 people. However post code analysis demonstrates

that Earl Shilton Library attracts usage from a much wider catchment of 11,526 people through additional borrowers who live outside the settlement area but come into Barwell for work, shopping or leisure reasons.

- 8.54. Active users of Earl Shilton Library currently borrow on average 17 items a year. The national performance indicator NI9 measures the percentage of adults who have used a public library service in the past 12 months (the latest figure is Oct 08 - Oct 09) and for Leicestershire this figure is approximately 48%. This figure would be higher if children were factored into the equation.
- 8.55. Consequently the proposed development at Leicester Road, Earl Shilton is likely to generate an additional 71 plus users and would require an additional 170 items of lending stock plus reference, audio visual and homework support material to mitigate the impacts of the proposed development on the local library service.
- 8.56. The County Council consider the library contribution is justified and is necessary to make the development acceptable in planning terms in accordance with the relevant national and local policies and the additional demands that would be placed on this key infrastructure as a result of the proposed development. The contribution requirement is directly related to the development because the contribution is to be used for the purpose of providing the additional capacity at the nearest library facility to the proposed development which is at Earl Shilton.
- 8.57. It is considered fair and reasonable in scale and kind to the proposed scale of development and is in accordance with the thresholds identified in the adopted policies and to meet the additional demands on the library facilities at Earl Shilton which would arise due to this proposed development
- NHS contributions
- 8.58. The Heath Lane Surgery premises are currently working to full capacity and has seen significant list size growth in recent years due to other developments. The CCG and NHS England are working closely with the practices on future resilience planning and are considering proposals for extending the premises using other sources of funding available to the surgery at this time. The surgery would therefore be seeking a S106 health care contribution from this new development to facilitate additional equipment to support the additional clinical space and thus ensure services to patients are improved and increased.
- 8.59. Contribution to Heath lane surgery for expected additional 118 patients - £10,79.33.
- Green space and play provision
- 8.60. Policy 19 of the Core Strategy requires new residential development to contribute towards the provision and maintenance of public play and open space facilities where there is an existing deficiency. There is an identified deficiency in quality of equipped children's play space, casual/informal play space and outdoor sports provision at Witherley Memorial Playing Field which is within a reasonable distance of the site. Therefore, the following contributions are sought:
- Equipped Children's Play Space £25,592.11 (provision) & £12,471.48 (maintenance)
 - Casual/Informal Play Space - £5,070.91 (provision) & £4,362.96 (maintenance)
 - Outdoor Sports Provision – 25,890.82 (provision) & £24,837.12 (maintenance)
- Civic amenity

- 8.61. The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of £2427.00
- 8.62. The above contributions are considered to be CIL compliant and should be secured through a S106 agreement.

9. Equality Implications

- 9.1. Where No Known Implications Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.
- 9.4. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.

10. Conclusion

- 10.1. The application site is outside the settlement boundary of Earl Shilton and within the countryside. The proposed development would be contrary to the spatial distribution for growth as set out in the Development Plan and would be contrary to Policy DM4 of the SADMP.
- 10.2. By virtue of the location, layout and scale, the proposed development would not complement the existing surrounding built form and would adversely impact on the rural character of the countryside and setting of the village. The proposed development would be contrary to Policies DM4 and DM10 of the SADMP.
- 10.3. The authority is able to demonstrate a five year supply of deliverable housing sites. The proposal is outside the settlement boundary where there is limited access to services and facilities and where there is no justified additional housing need. The proposal for residential development on the site would be in conflict with adopted strategic planning policies within the development plan for the area and therefore for the reasons given above, the application should be refused.

11. Recommendation

- 11.1. **Refuse planning permission** subject to:
- The reasons at the end of this report.

11.2. **Reasons**

1. The proposal would result in residential development in the designated countryside outside the settlement boundary of Earl Shilton. The proposal would fail to complement or enhance the intrinsic value, beauty, undeveloped rural character of the countryside and the rural setting. The proposal is therefore contrary Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD (2016).
2. Insufficient information has been submitted to enable the impact of the development on the road network to be assessed. In the absence of such information the application is contrary to Policy DM17 of the Site Allocations and Development Management Policies DPD (2016).

11.3. **Notes to Applicant**

1. This application has been determined based on the submitted: Proposed site layout Drg No. PL01; Site location plan; Design and access statement, Flood risk assessment;