

Reference: 13/00522/FUL

Date submitted: 27.08.13

Applicant: Projects 2000 Ltd

Location: Former War Memorial Hospital, Ankle Hill, Melton Mowbray

Proposal: Conversion of buildings to provide 20 dwellings, erection of 40 new dwelling houses, erection of block of retirement housing (38 dwellings, Class C3), associated accesses and parking areas, demolition of Warwick Cottage and 22-24 Ankle Hill and construction of balancing ponds.



Proposal :-

This application seeks full planning permission for redevelopment of the former War Memorial hospital site comprising of 6.15 acres of parkland to the south of the town. The proposal involves the conversion of the former Grade II Listed War Memorial lodge and Grade II listed stable block for the creation of 20 no. dwellings, construction of 38 no. two bedroom 'later living' apartments and the erection of 40 no. 3/4/5 bedroom dwellings. The site lies within the designated town envelope with much of the parkland being designated as Protected Open Area and covered by a blanket Tree Preservation Order.

The application has been supported by a Planning Statement, Design and Access Statement, Flood Risk Assessment, Drainage Strategy, Ecology Appraisal, Arboriculture Assessment, Archaeological Assessment, GRM Asbestos Survey, Phase 1 Geotechnical and Geo-Environmental Assessments and Transport Statement. All of these documents are available to view at the Council.

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

- **Compliance or otherwise with the Development Plan**
- **Impact upon Heritage Assets**
- **Impact upon biodiversity and Ecology**
- **Flood and Surface water**
- **Impact upon residential amenities**
- **Highway Safety**

The application is required to be presented to the Committee as a major development and level of public interest.

History:-

07/00733/FUL - Conversion of existing buildings to provide 17 dwellings, erection of 91 new dwelling units, provision of associated accesses and parking areas, and demolition of Warwick Cottage and 22-24 Ankle Hill. Planning permission was granted on the 12th March 2008 and was extended on planning reference 10/00773/EXT on the 11th January 2011. (Planning permission is extant)

06/00744/FUL and 06/00846/LBC - Erection of 550 linear metres of 2.4 metre high palisade fence, together with 3 double leaf gates. Planning permission and Listed Building Consent was granted on the 5th October 2006 and the 3rd November 2006.

06/00231/FUL – Planning permission was refused for the conversion of existing buildings to provide 17 dwellings, erection of 91 new dwelling units, provision of associated access and parking areas, on the 29th September 2009.

06/00232/LBC – Listed Building Consent was granted for the conversion of Wyndham Lodge and stable block into houses and apartments. Reinstatement of east wing to stable block for residential use. 27th September 2006

Application 06/00019/FUL for the provision of lockable gates to the stable block was granted permission on 20 February 2006 and Listed Building Consent was also granted for the works under reference 05/00895/LBC.

Application 03/00859/LBC for the installation of steel security bars and gates was granted Listed Building Consent on 17 February 2004 and was renewed on 21 June 2006 under reference 06/00153/LBC.

There have also been various works to trees covered by Tree Preservation Orders

Planning Policies:-

Melton Local Plan (saved policies):

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

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

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

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

Policy H11: requires developments of 15 or more dwellings to make provision for playing space in accordance with standards contained in Appendix 6 (requires developments of 15 or more dwellings to include a LAP within 1 minute walk (60m straight line distance) of dwellings on the site and extend to a minimum area of 400 sq m.

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

Policy C16: states that planning permission will not be granted for development which would result in loss or damage to areas of ancient woodland or the loss of trees or other woodlands covered by a Tree Preservation Order unless there is no other site suitable for the development and any trees felled are replaced at an alternative site of equal value.

Policy BE12 – Planning permission will only be granted for development which would have a detrimental effect on archaeological remains of county or district significance if the importance of the development outweighs the local value of the remains. If planning permission is given for the development which would affect remains of county or district significance, conditions will be imposed to ensure that the remains are properly recorded and evaluated and, where practicable, preserved.

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

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

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

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

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation)
- Contribute to conserving and enhancing the natural environment and reducing pollution.
- Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- 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.

On Specific issues it advises:

Promoting Sustainable Transport

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

Delivering a Wide choice of High Quality Homes

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

- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

Require Good Design

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

Meeting the Challenge of Climate Change:

- Adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.
- Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- Apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by: applying the Sequential Test and if necessary, applying the Exception Test.

Conserving and Enhancing the Historic Environment

- Recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness, and;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

Conserving and Enhancing the Natural Environment

- Encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value
- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments
- Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss

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

Consultations:

<u>Consultation reply</u>	<u>Assessment of Head of Regulatory Services</u>
<p>LCC Highways – no objection</p> <p>These revised observations are made on drawing number P_0139 MM-102 Rev P. The proposed road layout shown is not considered suitable for adoption however it is understood that the developers are proposing that the road will be provided as a private road, not put forward for adoption as public highway. It is therefore on this basis that these comments are being made.</p> <p>The Highway Authority are concerned that the</p>	<p>The proposed development would be served by two access points both from Ankle Hill. The bottom access is the original access into the hospital site. The development would have an internal ‘loop’ road serving all of the properties. Ankle Hill is a single carriageway road with a 30mph speed limit linking Burton Road to Dalby Road. On street parking is an occurrence along Ankle Hill due to the nature of the dwelling and the close proximity to the town centre. A resident permit scheme is currently being investigated with the County Council and residents.</p>

proposal could lead to additional queuing at the junction of Ankle Hill and Burton Road, and would wish to see a slight junction improvement carried out, so that vehicles queuing to turn right out on to Burton Road, would not impede vehicles wishing to turn left out of Ankle Hill.

Plots 37 - 40 are shown with individual access points on to Ankle Hill and whilst this is undesirable, it would be difficult to sustain an in principle reason for refusal for this.

Recommends conditions in relation to visibility, footway, gradients, drainage, parking and construction traffic.

Public Rights of Way:

No objection to the revised layout but seeks further clarification on the width and surfacing of the Rights of Way E15. It is also noted that the provision of a footpath into the northern parkland has been removed and would like to see a firm commitment that it is to be provided and be subject to a Dedication Agreement, which will clarify rights and responsibilities in the future.

S106 Contributions:

To comply with Government guidance in the NPPF, the CIL Regulations 2011, and the County Council's Local Transport Plan 3, the following contributions would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use.

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 (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

Amended plans have been submitted in respect of the road layout with the intention for it to remain as a private driveway. The road is not to be adopted by LCC due to not complying with highway design and standards for adopted roads. In order to provide appropriate root barriers and the need to retain important trees along the loop road, the width of the road, including footpath provisions, do not currently comply with the highway standards. Therefore the internal road will not be adopted by the Highways Authority.

The revised layout introduces four new access points to the south of the site to serve plots 37-40. Previously access to these plots were via a private drive, accessed from within the site however this required the alteration of the public footpath (E15) that runs along the southern boundary and was not supported by the LCC without seeking a diversion order. The revised layout leaves the footpath in situ and the applicants have confirmed that the footpath will have a width of 2 metres with the rear boundary treatment of the properties backing on to the Rights of Way being of 1.8 metre high close boarded timber fencing. A new foot path link is to be provided to the southwest corner of the site between plots 28 and 29, linking the footpath E15 to the development allow access out to the northern parkland which is to be retained as public open area.

The applicants agree to formalise the footpath route had have agreed to the Dedicated Agreement and the route plan provided by LCC. The northern parkland will become public open space managed by either a management company or the Town Estate if agreeable. The long term management can be secured by condition or through the S106 agreement.

The S106 contributions relate to the improvement of two bus stops on Ankle Hill which are opposite no. 15 Ankle Hill (southbound) and outside no. 59a Ankle Hill.(northbound). The north bound stop is currently served by the no. 100 Melton to Leicester service, and the south bound stop is served by the no. 100 Melton to Leicester service & no. 14 Melton town service. The total amount of contributions requested amounts to approximately £31446.30. The site benefits from an extant planning permission for 108 dwellings and the previous S106 agreement does not contain any public transport contributions requests. The application has been supported with a viability report which puts a case forward that any financial requests beyond those requested on the extant planning permission would jeopardise the redevelopment of the site which includes restoration of the grade II listed

<p>(average) £325.00 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).</p> <p>Improvements to 2 nearest bus stops (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At £3263.00 per stop.</p> <p>Information display cases at 2 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120.00 per display.</p> <p>Bus shelters at 2 nearest bus stops; to provide high quality and attractive public transport facilities to encourage modal shift. At £4908.00 per shelter.</p> <p>Real Time Information (RTI) displays at 2 nearest bus stops; as RTI is known to increase bus patronage where it is available. At £900.00 per display.</p>	<p>buildings and is stated to make the scheme not a viable option.</p> <p>The Transport Assessment submitted with the application sets out sustainable transport options and considered the pedestrian, cycling and public transport infrastructure. The site is considered to be in a sustainable location within 850 metres of the pedestrianised areas of the town centre and within 480 metres of the Train Station. The main bus service interchange at St Mary's way is within 900 metres from the centre of the proposal giving residents a choice of transport options. It is considered that the site performs exceptionally in terms of sustainability. It is therefore considered that residents are within walking distance of the main services and providing travel packs and bus passes would not make the development proposal any more acceptable in planning terms and as such fail the test of necessity. Guidelines published by the Institution of Highways and Transportation refer to 1000 metres as an acceptable walking distance for those without mobility impairment. The proposal incorporates a later living apartment to be made available to older residents who may already benefit from bus passes. The pavements on Ankle Hill are narrow in width and may not be suitable to accommodate bus shelters and at present there are no services to support Real Time Information in Melton.</p> <p>The Committee is invited to consider the request made by the Highways Authority however the application is supported with a viability study which concludes that the development could not withstand further financial constraints over and above what has already been agreed on the extant planning consent. (detailed further below in Developer Contributions section).</p> <p>The Highways Authority have not raised any objections in regards to possible impact on the wider road network given that the previous use as a hospital would have generated a high number of trips and there is an extant planning permission for 108 dwellings. It is not considered that the proposal would have a material increase in traffic movements to and from the site and proposes a reduction in dwellings to the extant planning permission which was supported by the Highways Authority.</p> <p>The Highways Authority have no objection to the proposed development and it is not considered that the proposal would have an impact on highway safety.</p>
<p>LCC Archaeology – no objection</p>	<p>Noted. The works to the listed buildings are consistent with the extant planning permission</p>

The historic buildings

The core of the former War Memorial Hospital comprises an important collection of later 19th century hunt related buildings centred upon Wyndham Lodge; these have been discussed in outline in a Historic Building Assessment prepared for an earlier application by Birmingham Archaeology. The complex includes the former hunting lodge itself, a Grade II listed building (HNLE ref.: 136180), the stable block (1074435) and various garden walls and ornamental features (1074434& 123577). The lodge was purchased in 1920 to form the basis of what was to become the War Memorial Hospital, various structures being added in the subsequent years to facilitate that use, notably the attached hospital buildings to the west and east of the lodge. Commenting on Wyndham Lodge itself, the report states:

‘The architectural merit of the late 19th century house, judged against national criteria, is probably the main factor here, but the setting of the house, which constitutes the park and the contemporary buildings of which the house forms the centrepiece, is also important. Also, from an historical point of view the house has a regional and local significance in being a creation of the fox hunting culture of the 19th century...’ (ibid, page 3).

The Stable Block (ibid, p4-5, Building 4) is listed Grade II, ref.: 1074435 and is broadly contemporary with the lodge, dating from the later 19th century; both appear on the 1st edition Ordnance Survey Plan of c. 1890. Originally surrounding a central courtyard, with the main entrance to the north, the eastern range was demolished apparently because it became unstable following works to Ankle Hill Road (Desk-based Assessment, CgMs 2004, page 20).

The Historic Building Assessment notes:

‘Building 4 makes an important contribution to the setting of the other listed buildings in this complex... Several contemporary but unlisted elements of the landscape enhance the setting of, and have group value with, Building 4...’ (BA 2005, p5)

These include the late 19th century steps immediately to the west of the Stable Block, apparently retained in the proposed development scheme and the screen wall and associated structures linking the north-west corner of the Stable Block with the service range of Wyndham Lodge. In both of the above instances, the structures mentioned would appear to be listed, because of their physical

and listed building consent. The stable block redevelopment proposes to rebuild the east wing to complete the courtyard.

Due to the extant planning permission on the site it is therefore accepted that the principles of redevelopment of this historic site has been established. Since the grant of planning consent the National Planning Policy Framework has been introduced. It is considered that the redevelopment proposal meets the requirements of this new framework and commands significant weight in light that there are no saved heritage policies within the Local Plan.

The NPPF; Paragraph 129, states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.

Paragraph 131 states that in determining planning applications, Local Planning Authorities should take account of:

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

Paragraph 132. States that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Paragraph 133 states that where a proposed development will lead to substantial harm to, or total loss of significance of, a designated heritage asset, **Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits** that outweigh that harm or loss, or **all** of the following apply:

- the nature of the heritage asset prevents all

association with other directly mentioned listed components and/or because of their curtilage status. In addition to the above, curtilage status may also be applied to the otherwise unmentioned gate piers (ibid, p7-8, plates 21-22).

As far as it is possible to judged, the stables (Building 4) will be retained within the proposed development scheme, although experiencing significant re-ordering and internal alterations. However, the two structures attached to the eastern screen wall (Buildings 6a and 6b, and the outbuildings to the north-east of the stable block (Buildings 4 (part) and 4a), are to be demolished. The first of these, Building 6a in the submitted report, is described as a possible carriage shed of late 19th century date. A structure in this location is certainly marked on the 1st edition Ordnance Survey (OS) map. Building 6b, a possible garden shed, may also be depicted on the OS plan. Both structures are of significance in the context of the wider complex and therefore merit appropriate recording before they are lost.

Of particular significantly, the development scheme also proposes the demolition of the eastern part of the eastern service range of Wyndham Lodge. The assessment comments: '2:2 bay service range stepped back in two stages to the left (east). Essentially this is contemporary with the main block except for the upper storey of the western section which rather than stone, is rendered and appears to be a later addition.' (ibid, p3, plate 3)

The proposed conversion of the Lodge will also significantly and permanently alter its character and form. Alterations include the removal of a number of original walls, the blocking and creation of openings, and the insertion of new partitions. The re-ordering of the interior is likely to cut and/or obscure architectural detailing (e.g. coving, dado rails, architraves, etc.), similarly doors and stairs are likely to be moved and/or removed. The extent and impact of this change is at this stage difficult to establish as the submitted assessment did not include any internal inspection. A brief overview of the interior was provided in the Desk-based Assessment, and figures 10-12 indicate the extensive survival of significant features of the late 19th century building.

The quality and character of the listed buildings, and their relative intactness, coupled with the significant impact of the proposed alterations warrants their survey and recording prior to the impact of the proposed alterations. The applicant should be required to prepare an analytical record (English Heritage (EH) Level

reasonable uses of the site; and

- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and the harm or loss is outweighed by the benefit of bringing the site back into use.

The proposal seeks changes to the approved scheme in order to make the redevelopment a viable option. The most significant change is the redevelopment of the southern parkland with 40 detached modern dwellings. The listed building conversions are in line with the approval and the principles of a 'later living' apartment block between the listed buildings was part of the previous scheme. However the apartment block has radically changed in design to present a curved block to mirror the development of dwellings opposite which will complete a crescent feel to the rear of the lodge, enclosing the public open space.

It is considered that the scheme put forward gives the best chance of the restoration of the listed buildings coming forward without having a harmful impact upon the historic site. There are three developers involved and the construction of the new dwellings will be 'enabling development' for the conversion of the listed buildings and to ensure that the conversion of the listed building takes place it is considered necessary to have a phasing approach to the development drawn into the S106 agreement.

Para 130 of the NPPF states that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

The site is self-evidently in poor condition as a result of neglect (although not related to the applicant) and it is clear that much of the design of the site is influenced by this, in that it is configured to generate sufficient funds to support its restoration. However, when applied to the circumstances of this case it is considered that this guidance conflicts directly with the remaining advice in the NPPF on the importance of heritage assets. It is considered that by following this paragraph in precise terms, no development would take place and there would be no prospect of preserving and restoring the heritage asset.

<p>3 survey) of the Lodge and stables, this work to be secured by condition upon any approved planning application.</p> <p>Other structures proposed for demolition includes the Hospital Building (Building 1a) located to the west of Wyndham Lodge and the former Nurses' Home (Building 11) to the south-east. Both are constructed in an Arts and Crafts style, and were added following purchase of the site as the District War Memorial Hospital. The Historic Building</p> <p>Assessment notes:</p> <p><i>'They... form an attractive group, both on their own and with the other buildings of this of this period in the hospital grounds... [they] have a local interest, and make a modest contribution to the historic building stock of the town. (ibid, p4, plates 4-5).</i></p> <p>It is recommended the applicant is required to prepared a descriptive record (EH Level 2 survey) of the Arts and Crafts buildings prior to their demolition.</p> <p>Below-ground remains</p> <p>The 2004 Desk-based Assessment (DBA), resubmitted with the current application, shows that there is some potential for archaeological remains to be affected by the proposals. In addition to the potential for prehistoric and/or Roman remains, as noted in the DBA, historic mapping of 1824 and 1838 shows the presence of an earlier structure, 'Hill House', approximately situated on the site of the Stable Block. The absence of this building from the earlier Ordnance Survey Drawings suggests it was built during the first quarter of the 19th century.</p> <p>The potential for buried archaeological remains requires the applicant to make provision for a programme of archaeological investigation and recording, commencing with an initial exploratory stage. This programme of work will consist of a geophysical survey to be followed by trial trenching; based upon the results of this work a final stage of archaeological mitigation, likely to entail targeted area excavation, will be needed.</p>	
<p>MBC Conservation</p> <p>This application relates, in part, to the conversion and restoration of two listed buildings within the hospital complex, namely the principal hospital building itself (formerly Wyndham Lodge) and the associated detached stable block. Both are</p>	<p>The topography of the site rises from the north (river) to the south fairly sharply, giving the lodge an elevated position within a parkland setting. The proposal can be broken down into three elements. The conversion of the listed buildings, new three storey 'later living'</p>

grade II listed.

At a recent site visit it was noted that both buildings had fallen into a state of disrepair and that urgent remedial works are necessary to arrest further deterioration. These works in general terms would be considered repair works and therefore could be undertaken without the need for formal consent which in regard to their urgency should be a serious consideration before some of the deterioration becomes irreversible.

Wyndham Lodge (Main Hospital Building)

The deterioration in this building is quite alarming and apparently rapid. Of major concern are the several outbreaks of dry rot within timberwork and other fabric in several parts of the building. This requires urgent action as it will spread throughout the building if left unchecked and will require considerable remedial works.

There are other areas where water ingress through the roof is apparent and this too requires urgent attention.

Architectural theft is also apparent and regrettably the fireplaces, radiators, metal air vents and other articles that have been stolen are unfortunately gone forever. It is important that the remaining fittings are protected to ensure that they either remain in situ or can be reused elsewhere within the building.

Clearly what original architectural detailing and fittings that remains such as plaster cornicing/coving/ceilings, doors, door cases, windows etc must also be retained and repaired as necessary to ensure retention/inclusion within the converted building.

It was noted during the visit that some decorative Victorian radiators had survived the vandals/thieves and it was agreed that these should be installed as a decorative feature within the communal entrance hall/principal stairway thus ensuring that they remain within the building.

Stable Block

Similarly the condition of this building is cause for concern, generally however this is more of a vandalism issue than deterioration of fabric, with some exceptions.

Previous works undertaken by the NHS (or similar) to the ground floor in particular have resulted in some unsympathetic changes, particularly to windows and doors etc. It is expected that these would be addressed in the

apartment block and the construction of 40 no. dwellings. Some demolition is proposed to the later additions to the lodge constructed when it was in use as the hospital. The listed lodge is to be converted to provide 10 no. mix of one, two and three bedroom dwellings, split vertically and seeks no changes to this element of the scheme as already permitted on planning approvals 07/00733/FUL and 10/00773/EXT. The lodge is rapidly decaying with evidence of damage being caused from the unmanaged trees and vegetation damaging the external stone work. The boarding up of the lodge has also had its effect on the interior with outbreak of dry rot within many of the rooms.

The stable block sits to the west of the lodge and is also falling into a bad state of repair with evidence of the stone exterior crumbling. It is proposed to reinstate the west wing which was removed following a fire in 1976 and convert the building into 10. No mix of one, two and three bedroom apartments. Whilst this part of the scheme remains unchanged from that approved, the construction of the dwellings to the north and south is of material difference.

It has been proposed to construction 8 no. new dwellings, backing on to one another, along the entrance to the site leading up to the lodge and stable block. This area is designated Protected Open Area within the local plan and has a rising topography, tree removal is also proposed. Undoubtedly the setting of the listed stables will be affected to a degree by the proposal to construct the dwellings. Care has been taken to ensure that the density is low to allow adequate separation distance from the stables and lodge so that the primary focus when entering the site is that of the elevations of the listed lodge. The dwellings have been amended so that they do not present unattractive blank elevations to the public on approach into the site and in order to create an active street frontage, giving surveillance opportunities also.

Further to the west of the lodge more housing development is proposed to sit alongside the lodge and to rear. The car parking court for the residents of the lodge pushes the dwellings further to the west giving that separation distance to respect the setting of the listed building. A sectional drawing has been provided showing the relationship of the 6 no. dwellings that sit on the same building line as the listed lodge and subject to good quality materials the proposal is not considered to have significant harm upon the listed building. When viewed up from the river the development will seek to complement one another as a residential development.

more detailed conversion proposals.

The upper floor however, which it is presumed were used for grooms accommodation and storage, presents a different story. This appears to have been virtually unchanged since construction and as a result the original windows, doors, ceilings and roof structure are still in situ and basically in good condition. In that regard it would be expected that this is all to be retained and hence incorporated within the conversion proposals.

Externally it was noted that some of the stonework has deteriorated and some inappropriate rendering applied to disguise the fact. This should be reversed and the stonework repaired and reinstated either through turning or replacement.

The proposal to reinstate the stable courtyard layout by constructing a new block on the Ankle Hill side in replacement of that demolished in the past is welcomed.

General Comment

Clearly both these buildings are heritage assets of some significance, particularly in terms of the social history of Melton Mowbray. In that regard these proposals are welcomed for their reuse which will ensure their longer term future and continued maintenance.

That said it is important to preserve the historic integrity of these buildings through retention and minimal intervention into historic fabric etc.

Whilst this has been discussed at a site meeting previously the importance of these buildings cannot be undermined. Therefore it is suggested that prior to the commencement of any works to either listed building that a schedule of works should be submitted detailing the remaining historic fabric/detailing within the building and methods of repair etc thus ensuring its protection during the conversion.

Setting of listed buildings

The wider setting of the listed buildings generally comprises the northern parkland, which slopes away down towards the river and is planted with specimen trees forming somewhat of an arboretum, and southern parkland which sweeps around the rear of the buildings. Whilst it is noted that some trees fronting the steps and balustrade (also listed) are to be removed to recreate vistas of the frontage other trees would benefit from some works. These measures will combine to ensure that the northern parkland remains unaffected by this proposal and will continue to provide a

The dwellings to the rear of the lodge are to replace the current 'crescent' extension of the hospital and will sit on a loop road providing the connectivity through the site. Comprehensive discussions have taken place prior to the submission of the application to ensure that the dwellings sitting immediately to the west provide an active frontage, to look down on to the open space behind the lodge rather than 'turn its back' on it. This ensures that harsh boundary treatment is not necessary which would have had a negative impact upon the setting. The land immediately behind the lodge will be landscaped and will provide an attractive pedestrian walk through the woodland.

The remainder of dwellings to the south are set a considerable distance away from the lodge, separated by the woodland area and will have a different feel to the rest of the development being of modern detached dwellings.

The dwellings are to be of 2 and 2 ½ storey in height. It is not considered that the construction of modern housing would unduly impact upon the setting of the listed buildings given that the sites unique parkland setting to the front of the lodge will remain relatively unchanged but with better management. When approaching from the south the site will have a different 'feel' about it and still incorporates large open public tree spaces so that it will not have a detrimental impact upon the setting of the historic buildings.

The third element of the proposal is the construction of a three storey apartment block designed and aimed at 'later living'. This block is to be situated between the lodge and the stable block. It will be an imposing three storey height and has been designed to curve around the public open space behind the lodge to complete the 'crescent' look and is situated on the site of the later addition of the hospital building to be demolished. The extant planning approval also has a large apartment block (35 no. units) in this location and it is therefore considered that the relationship on both listed buildings is acceptable.

Whilst there is an extant planning permission on the site for 108 units containing a mix of new buildings and conversions the scheme has not materialised as it is said to be unviable in that form. This latest proposal has been put forward to provide the best alternative to redevelop the site and provide the enabling development to provide the funding to restore and put the listed buildings into an acceptable use to secure their longevity.

<p>foreground to the principal building. The Southern parkland however will be developed to a degree but the proposed dwellings are sufficiently distant so as not to adversely affect the principal building. That area fronting Ankle hill in particular remains open although views towards Wyndham Lodge will be limited and curtailed. Likewise a good proportion of the parkland further to the east will remain open allowing views both towards and away from Wyndham Lodge.</p> <p>In terms of the more intimate setting the majority of the original formal lawned area fronting the Lodge is retained as public open space ensuring that the relationship between the listed building and its immediate garden is retained.</p> <p>In general terms the development has been well considered and important elements which contribute to the setting of the listed buildings on site have for the most part been retained within the proposed layout. It is reasonable to say however that those dwellings proposed immediately north of the stable block do compromise its setting to a degree. That said the layout and design is such that glimpsed views of the principal stable block frontage will be available with the principal focus being the view of Wyndham Lodge along the approach road passing these dwellings.</p> <p>The proposed street scene drawings submitted indicate that the new build elements of the overall development sit well against the historic buildings and complement each other. It also confirms that the separation between the Lodge and its neighbouring buildings ensure that its importance and grandeur is highlighted.</p>	
<p>English Heritage – no objection</p> <p>On the basis of the information provided, we do not consider that it is necessary for this application to be notified to English Heritage under the relevant statutory provisions</p>	<p>Noted. See above for full heritage assessments.</p>
<p>LCC Ecology – no objection</p> <p>Pleased to see that the bat mitigation has been revised to retain many of the existing roosts in their current location. LCC welcome this proposed mitigation and the indicative map provided within Figure 5. Therefore it is considered that sufficient information has been provided on this to ensure that the long-term conservation status of bats on the site will be retained. However, as this is still in a draft format, pending the agreement of the site layout, it is requested that a condition is forwarded with any permission granted ensuring that prior to the commencement of the development, the exact location of the proposed bat roosts, bat boxes and bat tubes must be submitted and agreed by the</p>	<p>Noted.</p> <p>A Protected Species Survey has been submitted and there has been no objection to the proposal from our Ecological advisors.</p> <p>The application is proposing balancing ponds, and retention of the northern parkland which are considered to be a biodiversity gain and provide the compensation for the loss of the southern parkland. The NPPF paragraph 109 states that the planning system should minimise the impact on biodiversity and providing net gains in biodiversity where possible. In paragraph 118 of the NPPF it states that opportunities to incorporate biodiversity in and around developments should be encouraged. This is</p>

<p>LPA as part of the bat mitigation strategy. Thereafter, these features must be retained. This mitigation strategy must follow the mitigation proposed in section 5 of the Ecological Appraisal (May 2013) and the letter to Andrew Murphy from FPCR (December 2013).</p> <p>It is accepted that it is not possible on this site to create the attenuation waterbody to hold water at all times.</p> <p>LCC comments regarding badgers and habitats from the previous response consultation dated 23rd September 2013 remain valid. In summary, this suggests a condition requiring the recommendations in section 4.36 – 4.39 of the Ecological Appraisal to be forwarded to the applicant. This relates to the protection of badgers that may be in the area.</p> <p>A pre-commencement condition requiring a management plan covering the improvement and maintenance of the northern parkland area (as compensation for the loss of the habitat at the southern end of the site) should also be added to any permission granted.</p>	<p>considered to be a material consideration when determining the application.</p>
<p>LCC Arboriculture Officer</p> <p>On the whole it is found that the report to be fair and comprehensive and would broadly agree with a majority of the report.</p> <p>On the assumption that consent for the development is to be granted it is strongly suggested that the LPA consider implementing recommendations, via planning conditions, as set out in section 5 (outline arboricultural method statement) and section 6 (heads of terms for and arboricultural management plan) of the Arboricultural Assessment. Within these sections it is suggested that an arboricultural management plan is put into place to:</p> <ul style="list-style-type: none"> i) assist with the removal and retention of trees on the site, for the purposes of demolition and construction; ii) assist with the planting and retention of trees during and after construction. <p>It is also suggested that prior to any works being carried out an Arboricultural Clerk of Works is appointed, by the developer, to act in the interest of trees to be retained on the site and to liaise with Melton Borough Council's planning section (section 5.3). In my view this appointment is of vital importance given the size and prominence of the development and the nature of the site.</p> <p>In regards to the proposal the following comments</p>	<p>Noted. Whilst there are many trees to be removed to facilitate the development the site has received no arboriculture management since the closing of the hospital and the grounds are very overgrown. There are many self-set trees within the ground and the ones to the front of the lodge have caused great damage to the listed balustrades and steps which are to be restored. Further damage caused by the trees can be seen along the boundary of the site adjacent the listed stone boundary wall (Ankle Hill).</p> <p>Following the initial assessment from LCC the layout has been revised to retain some of the more important trees on the site to the south of the lodge and to ensure adequate root protection can be afforded to the trees within the site and neighbouring properties by the construction of the dwellings. The site is covered by group tree preservation orders as well as individual ones and the extant planning permission also requires tree removal to facilitate the development. The self-set trees are not afforded any protection and the Tree Preservation Orders are required to be modified in accordance with the good practice and the regulations.</p> <p>The proposal, unlike the extant permission, poses more residential development in the southern parklands and more tree removal will be necessary to accommodate the road, footpaths and dwellings. Whilst a large portion of a group of trees has been identified for removal it was</p>

<p>in regards to the proposed location of new buildings, the proposed location of hard surfaces and roadways, as well as their construction in relation to trees existing on the site and trees to be planted as part of the landscape proposal are made:-</p> <ul style="list-style-type: none"> • Where buildings are to be developed near to existing trees on the site then full consideration must be given to the type and depth of foundation. • Careful consideration of replacement trees, their potential for growth, and the species used should be given when accepting proposals laid out in landscaping plans, especially in relation to the built environment. • Careful consideration for the route, location, nature of construction of attenuation ponds and potential impact on the trees must be given. • Careful monitoring of the trees throughout the period of development (including demolition, construction and landscaping phases) must be undertaken (ideally an Arboricultural Clerk of Works as appointed by the developer.) • Neighbouring property trees are to have appropriate protection as set out in BS 5937, 2012 • Further survey work should be completed to the wooded area denoted as W1 as recommended within the Arboricultural Assessment • There are a number of trees which have been categorised as A and B (high and moderate quality) and which will require removal in order to facilitate the construction of some dwellings. Whilst it may not be plausible to retain all of these trees there is a case to suggest that those of a significantly high quality or those which are not directly within the footprint of a building could be retained. To retain these trees may require a slight redesign of the adjacent properties, the type and depth of foundation or a slight re-alignment of their position/location. <p>As part of the proposals a number of trees and tree groups covered by the 1997 Tree Preservation Order are to be removed. These included approximately 54 trees covered as individuals, a proportion of trees within W1 (G1 in the TPO) and 3 tree groups. On the assumption that the development proposals are to be approved it would be prudent to undertake an appraisal of the TPO and modify accordingly.</p>	<p>considered that T103, Red Cedar, is of a high category A, with a life expectancy of 40 years and should be retained and designed around. The amended layout has incorporated the tree into the landscaping however still a large portion of the woodland is to be lost. It has been recommended that further survey work to identify the types and species of trees is to be undertaken however many will benefit from arboricultural management to allow for good growth in the future.</p> <p>The parkland to the north of the lodge (2.47 hectares) is to be retained as parkland available to members of the public and tree removal would only be required to assist with good arboricultural management of the site. Discussions have been undertaken by the applicant with the Town Estate for them to take on the site in the interest of the wider community. However a management company may be required to look after the many of public open landscaped areas within the development site.</p> <p>It is regrettable that so many trees will have to be removed to facilitate the development however in order to move the site forward for the much need housing and to secure the longevity of the listed buildings some compromises are required. The redevelopment of the site will offer more benefits to the town in providing housing, securing the social history of the town whilst still providing green public areas open to the community. At present the site offers no appreciable benefits to the town and its community and the site is rapidly falling in to a state of decay.</p>
<p>Environment Agency- no objection</p> <p>Sequential Test - In consideration of the proposed</p>	<p>Noted. The site subject to the redevelopment lies within flood zone 1 with the balancing ponds and swales being sited within flood zone 2 which is</p>

<p>development being located solely in Flood Zone 1 (low risk from fluvial flooding), The EA have no further comment to make but leave it for you to determine.</p> <p>Exception Test - In light of additional drainage information being submitted - Drawing No. 13040-SK20 Rev B and supporting micro drainage information, the EA are now in a position to remove our objection to the proposal and advocate the following condition:</p> <ul style="list-style-type: none"> • A surface drainage scheme 	<p>an acceptable use in this zone. It is not considered that a sequential test is required due to the site not being in flood zone 2, however, the redevelopment is reliant on its location being enabling development for the restoration of the listed buildings and parkland.</p> <p>The site proposes the installation of a SUDs system to manage the surface water from the redevelopment of the site. The River Eye sits to the bottom of the site and it is proposed to construct balancing ponds and swales to hold and treat the surface water before controlled discharge into the river Eye. The proposal also seeks to readdress an issue with current management of sewage from the existing properties on Ankle Hill. The existing drainage is combined and all of it connects to a combined public sewer in the north east part of the site. There is a Combined Sewage Overflow (CSO) between this connection point and the watercourse and that there is an overflow pipe discharging to the River Eye. There are existing problems of discharge of sewage effluent into the river during heavy rainfalls and the proposed drainage strategy for the site will assist in addressing this issue and would offer a significant improvement to water quality in the River Eye.</p> <p>The Environment Agency has independently reviewed the flood risk assessment and is satisfied with its content and conclusions, prior to arriving at this recommendation.</p> <p>Conditions can be imposed in respect of the Environment Agencies request.</p>
<p>MBC Housing Policy Officer–</p> <p>The National Planning Policy Framework (NPPF) recognises that housing should meet the needs of present and future generations (Para 10). The NPPF continues to recognise the importance for local planning authorities to understand the housing requirements of their area (Para 28) by ensuring that the scale and mix of housing meets the needs of the local population. This is further expanded in Para 110 – 113, which follows the principle of PPS3; in seeking to ensure that housing mix meets local housing need.</p> <p>David Couttie Associates conducted a Housing Market Analysis for Melton Borough Council (Housing Stock Analysis 2006-2011; 2006) which clearly demonstrated that there is a surplus of larger private market homes and a significant lack of smaller sized properties within Melton Borough. Future development has therefore to address the imbalance of stock type and size, both by tenure and location to create a more sustainable</p>	<p>Noted. The extant planning consent secured 38 affordable units through a S106 However, the sale did not take place and the NHS have been marketing the site and until now have not had a buyer show any interest.</p> <p>Lengthy pre application advice has been undertaken by the applicant with the Council, seeking to secure an acceptable redevelopment of the site whilst securing the most viable option for the listed buildings and management of the site. Following the discussions a number of proposals have been put forward with this latest proposal coming forward for consideration. Viability has always been a concern as there are a number of financial constraints to redeveloping an historic site and a viability assessment has been submitted to accompany the proposal.</p> <p>Collectively the scheme proposed does provide a wide ranging mix of dwellings on the site with the larger portion being either one or two bedroom. Ideally a better mix of new built detached dwellings would be desirable to offset</p>

<p>and balanced housing market. This will require a bias in favour of small units to address both the current shortfall and future demographic and household formation change which will result in an increase in small households and downsizing of dwellings.</p> <p>Within Melton Mowbray there is a strong need for smaller market housing such as 2 bedroom houses as well as 3 bedroom older people/downsizing accommodation and a surplus of medium to large family accommodation.</p> <p>This application proposes conversion of existing buildings to provide 20 dwellings, the erection of 40 new dwelling houses and the erection of block of retirement housing, delivering some 38 dwellings.</p> <p>The Leicester and Leicestershire Strategic Housing Market Assessment (Blinc Housing, 2009) supports the findings of the Housing Market Analysis and states that controls need to be established to protect the Melton Borough (particularly its rural settlements) from the over development of large executive housing, and to encourage a balanced supply of suitable family housing (for middle and lower incomes), as well as housing for smaller households (both starter homes and for downsizing). It continues to state that the undersupply of suitable smaller sized dwellings needs to be addressed to take account of shrinking household size which if not addressed will exacerbate under-occupation and lead to polarised, unmixed communities due to middle and lower income households being unable to access housing in the most expensive and the sparsely populated rural areas.</p> <p>The application seeks to deliver a mix of house types, ranging from 1-bed apartments to large 5-bed detached houses. The housing mix across the scheme is as follows;</p> <p>27 x 1-Bed or 27.55% 29 x 2-Bed or 29.59% 8 x 3-Bed or 8.16% 14 x 4-Bed or 14.28% 20 x 5-Bed or 20.40%</p> <p>The scheme proposes 65.3% smaller properties (1, 2 and 3-Bed) this is deemed reasonable and acceptable in the context of a development of 98 units.</p> <p>The proposed larger units are all new builds. It would be favourable, from a housing policy perspective, for the scheme to have provided a better mix of new build house types, rather than predominately large, detached properties, to which</p>	<p>the larger 4/5 bed dwellings proposed however on the whole there is a fair mix available and suitable for either downsizing or upsizing to family homes.</p> <p>Due to the high repair and maintenance costs of restoring the listed buildings and management of the land, including the trees, the viability of the redevelopment proposal is in question. The submitted viability report advises that the site cannot deliver affordable housing or provide all of the contributions requested by LCC or the Police (see Police Architect Liaison section below and Highways section above for full commentary). If the scheme is to be delivered it is requested that the Council forego affordable housing in favour of restoration of the listed buildings and delivery of the housing in the Borough, in an appropriate location within the town.</p> <p>The scheme as it is presented, without any affordable housing, is shown to have a net deficit of approximately £800,000 even with a reduced profit margin of 16.3% and allowing a figure of £15,000 to meet the developer contribution requested on the earlier scheme (with inflation). The developer is prepared to proceed with the project at his own risk should approval be granted.</p> <p>The viability has been tested by the Council which also concludes that there will be a net deficit, even with the developer accepting a lower profit margin to that considered as a reasonable amount (17%). Should the Council wish to see the site redeveloped the benefits are to be weighed against any dis-benefits that may occur.</p> <p>It is considered that the benefits of the scheme relate to the provision of 98 dwellings in a highly sustainable location, restoration and putting into a viable use of the listed buildings to create 20 one, two and three bed dwellings, provision of 38 one and two bedroom older persons apartments, restoration and management of the trees and wildlife habitats in the parklands (suffering from neglect), provision of three hectares of public open space available to the community of Melton and provisions of good surface water management alleviating existing problems on the site identified during heavy rain fall.</p> <p>When weighed against the disbenefits of the absence of affordable housing provision with limited S106 contributions, along with the construction of 34 large executive dwellings, which on their own would not support the Borough's housing needs but collectively assist</p>
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<p>there is already a surplus in Melton and the Borough more generally.</p> <p>The Council has undertaken several assessments in order to be informed by an evidence base of housing need (households unable to access suitable housing without financial assistance). The level of identified need for affordable housing is extremely high within the borough. The 40% policy requirement was adopted in accordance with saved policy H7 of the Melton Local Plan in January 2008 under the same processes and procedures which have previously set the threshold and contribution requirements for affordable housing within the Melton Borough. This application seeks to make nil-contribution towards affordable housing.</p> <p>A viability assessment has been submitted by the applicants outlining that the scheme cannot make any provision towards affordable housing. This viability assessment has been subject to an internal review where it was found to support the applicants argument ; however in the opinion of the Housing Policy Officer, with the need for affordable housing so acute (data from 2013 identified a need for some 122 affordable units per annum), it would be prudent for an open book approach, with regard to finances and viability, to be taken forward and should there be additional capacity within the scheme, these funds are put forward for investment in affordable housing across the Melton Borough.</p> <p>To summarise whilst the scheme provides nil affordable housing, it does offer a variety of house types. Subject to an agreement on affordable housing contributions, in respect of the comments above, from a housing policy perspective there are limited reasons to object to the application, as it seeks to provide much needed smaller units. Whilst the addition of larger units is regrettable, it is seen as having limited impact on the towns existing housing imbalance, when mapped against the provision of predominately smaller units.</p>	<p>with housing delivery, that the benefits in allowing the proposal are considered to outweigh the harm identified above.</p> <p>It is however considered appropriate to have a phased approach to ensure that conversion of the listed building takes place within a reasonable time frame so that the benefits outline above are secured through the S106 agreement.</p>
<p>LCC Developer Contributions-</p> <p>Waste - The County Council considered the proposed development is of a scale and size which would have an impact on the delivery of Civic Amenity waste facilities within the local area.</p> <p>The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of £8,695 (to the nearest pound). The contribution is required in light of the proposed development and was</p>	<p>Noted – The site currently benefits from an extant planning permission for the redevelopment of 108 dwellings (2007 and 2010). The signed S106 contributions consist of 38 Affordable Dwellings, Civic Amenity contributions of £8144 and Library contributions amounting £4940. Since granting approval the recession hit resulting in the scheme not materialised due to it no longer being a viable option for the developer and the site has remained in the ownership of the NHS pending further marketing.</p> <p>The site has stood empty and the listed buildings are falling into disrepair and are currently under threat. The vegetation and the trees subject to</p>

<p>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.</p> <p>Libraries – The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area. The proposed development on Ankle Hill Melton Mowbray is within 0.8 km of Melton Library on Wilton Road being the nearest local library facility which would serve the development site. The library facilities contribution would be £5170, (rounded to the nearest £10). It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought to purchase additional library materials, e.g. books, audio books, newspapers and periodicals etc for loan and reference use to mitigate the impacts of the proposed development.</p> <p>The request is based on the following formula for library facilities contributions</p> <ul style="list-style-type: none"> • 19 no. 1 bedroom houses/apartments @ £27.18 per house/apartment • 39 no. 2 bedroom houses/apartments @ £54.35 per house/apartment • 40 no. 3/4/5 bedroom houses/apartments @ £63.41 per house/apartment <p>Education- no contribution is requested.</p> <p>Ecology, Landscape: no requirements</p>	<p>Tree Preservation Orders have been unmanaged and the site contains Japanese Knot weed as a result of the absence of routine management of the site. (n.b this is through no fault of the developer who at present does not own the site and will have to make good should approval be granted).</p> <p>The applicant has agreed in principle to the payments requested by LCC with a set amount of £15000 having been set aside to meet with S106 contributions, this being the equivalent of the contributions sought for the extant permission. It is considered that the deliverability of the site would be in jeopardy if further financial burdens were to be placed upon the proposal.</p> <p>S106 payments are governed by Regulation 123 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects. Para 203 of the NPPF advises that S106 obligations should be used to make developments acceptable and para. 205 advises that a flexible approach should be employed to prevent planned development from being stalled.</p> <p>It is considered that the payments satisfy these criteria and are appropriate for inclusion in a s106 agreement. However, regard is paid to the viability information and in consideration is necessary as to whether the sums offered by the developers present an acceptable compromise to allow the development to proceed or, alternatively, their limitations render the application unacceptable.</p>
<p>MBC Developer Contributions –</p> <p>Leisure – contribution to new leisure facilities. £4000 contribution to dry side facilities due for completion 2015/16. Costing based on proportion costing of £1 million project.</p>	<p>It is considered that these contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement.</p> <p>The applicant has agreed in principle to this payment. The Borough has an identified lack of dry side facilities in the borough since the closure of the Leisure Centre at the Brooksby Melton Campus on Asfordby Road. The NPPF seeks to ensure social benefits as well as economic and environmental benefits are gained from planning proposals. Paragraph 73 advises that ‘<i>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.</i>’ The contribution will assist the Council in meeting its sports and recreation provisions to not only benefit the future residents of this site but the whole community in the Borough.</p>

	<p>S106 payments are governed by Regulation 123 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p> <p>It is considered that the payments satisfy these criteria and are appropriate for inclusion in a S106 agreement.</p>
<p>Police Architectural Liaison - A primary issue for Leicestershire Police is to ensure that the development makes adequate provision for the future Policing needs that it will generate. Leicestershire Police have adopted a policy to seek developer contributions to ensure that existing levels of service can be maintained as this growth takes place.</p> <p>The proposed development will increase the overnight population of this settlement by at least 222 people. It is stated that 95 additional units will bring additional Policing demands and particularly as there is limited Policing demand from the existing site. There can be no doubt that there will be a corresponding increase in crime and demand from new residents for Policing services across a wide spectrum of support and intervention as they go about their daily lives at the site the locality and across the Policing subregion. An additional factor here will be the relative vulnerability of some residents and it is in the police's experience that this can lead to additional reliance and demands upon Policing.</p> <p>Empirical data indicates the direct and additional impacts of the development on local Policing will be manifested in demand and responses in the following areas-</p> <ul style="list-style-type: none"> • At least 183 additional calls and responses per year via our control centre. • Attendance to at least an additional 21 emergency events within the proposed development and locality each year. • At least 12 non emergency events to follow up with public contact as a result of the development each year. • 7 additional recorded crimes in the development and locality per year based on beat crime and household data. In addition 6 recorded anti social behaviour incidents each year within the new development and locality. • The demand for increased patrol cover. • Additional vehicle use relating to 16% of an additional vehicle over a 6 year period. • Additional calls on our Airwaves system where our funding seeks to maintain capacity for call demand at current levels. • Additional use of our PND systems to process 	<p>The Police requests have been modified to take into account that the 20 dwellings resulting from the conversion of the listed buildings is identical to the extant planning permission and have removed from the calculations. However the police maintain that the requested contributions are necessary for inclusion of a S106 due to the increase in residents in the area. The matter of the extant planning permission has been discounted by the Police, who did not request anything at that time, as they have quoted from the application that the scheme is not viable so will not be coming forward which has resulted in this new scheme.</p> <p>The applicants have stated that they are not willing to pay this developer contribution request. The applicants have provided a viability statement and further cost constraints will threaten the development.</p> <p>It is noted that the addition of 98 dwellings would have some impact on policing within the Borough. Developer contributions are delivered by agreement between all parties and the applicant have stated that they are not willing to agree as this would make the scheme even more unviable. Therefore, a decision is necessary as to whether the development should be permitted without this contribution.</p> <p>Para 203 of the NPPF advises that S106 obligations should be used to make developments acceptable and para 205 advises that a flexible approach should be employed to prevent planned development from being stalled.</p> <p>However, regard is paid to the viability information and consideration is necessary as to whether the sums offered by the developers present an acceptable compromise to allow the development to proceed or, alternatively, their limitations render the application unacceptable.</p> <p>The Police maintain that the high abnormal costs, associated with the development of the scheme, is through deliberate neglect and should not be a material consideration in determining the proposal. However there is an</p>

and store crime records and intelligence and based on existing levels of use equating to 8 additional hits and data entries per year.

- Additional deployment of Mobile CCTV technologies
- Additional demand for access to beat staff in a local Hub.
- Additional Policing cover and interventions in all the areas described when considering staffing and functions above and for additional accommodation from which to deliver these.

Police contribution requests of **£35275** is sought to mitigate the additional impacts of this development because the existing infrastructure does not have the capacity to meet these and because, like other services, we do not have the funding ability to respond to growth proposed. We anticipate using rate revenues to pay for staff salaries and our day to day routine additional costs [eg call charges on telephony and IT vehicle maintenance and so on].

Contributions received through S106 applications will be directly used within the associated local policing units to:

- **Equipping staff** - the development is forecast to generate the need to employ 60% of a new member of staff the contribution for equipment should be **£3524** from this new development.
- **Vehicles** - additional vehicle costs to deliver Policing and meet community safety needs will be £2508 (proportionate per new household).
- **Radio Cover** - The additional cost of the additional capacity in relation to houses in this development will be **£176**
- **Policing Data Bases Capacity** - We spend £5122 on system enhancements to serve Melton District each year or £0.24 per household. This will need to be increased to serve the additional Police needs of the new development. Over 5 years the development should contribute **£114**
- **Control Room telephony** - Each new household in the district will generate a need to invest an additional £4.25 in this system. The development should contribute **£404** towards the additional equipment needed to answer the additional calls it will generate
- **ANPR CCTV deployment** - The development will be served from two main routes into Melton and bearing in mind this accessibility and current local crime patterns in the area a part contribution of **£2713** towards an additional camera is sought to serve the development and locality.
- **Mobile CCTV Deployment** - Cameras are deployed in partnership with other local

extant planning permission on the site (07/0733/FUL extended 10/00773/EXT) for the provisions of 108 dwellings which is a material consideration until it lapses. Police contributions were not requested at that time. Therefore, consideration is required as to whether the development is considered unacceptable if the contribution sought cannot be secured.

Local Plan policy OS3 sets out how costs for infrastructure will be sought from developers for infrastructure costs that are necessary to serve the proposed development. The Police have put forward an argument that the proposed development would increase the policing requirements in the area should it proceed and that the cost of these should therefore be met. This approach has used empirical data based upon the likelihood of direct and indirect impacts only but there is no comparison against any impacts of a 'do nothing' approach that an unsecured derelict site may have upon the policing in the area.

Such contributions cannot be imposed (as they have to be secured by agreement) and as such the decision is required to be made in the context of the applicants inability to meet this request (and others) which is a clear dis-benefit of the proposal

<p>agencies to detect and deter crime and can be moved to follow crime patterns. Typical locations are where there is an expressed fear of crime, at emerging crime hotspots that residents use eg near commercial premises, or where there are increasing levels of anti social behaviour. Unit cost is £1500 and Police pay the revenue costs for movement. Bearing in mind the location and nature of the development as previously described and the local crime situation a contribution towards a mobile unit is required to serve the development at a cost of £500.</p> <ul style="list-style-type: none"> • Additional Premises - Additional staff will need to be accommodated to serve the development. Occupation of local and Force wide premises is maintained to capacity. Premises cost is amount of floorspace per staff member [15] x number of staff generated by the development [0.6] x Build and land/lost opportunity cost [£2794pm2] giving a total of £25146 from this development. In relation to the LPU at Melton there is no spare capacity to take additional staff and the premises will need to be extended to allow for this • Hub Equipment - This new development will increase the demand for local accessibility to Policing. Police are delivering hubs to existing communities. Costs for works stations £190 <p>With no consideration or prospect of a contribution, Police raise a formal objection to this application on sustainability grounds and because the development is unacceptable in Planning terms without the necessary contribution. Advice taken by Leicestershire Police is that the contents of this letter are sufficient to justify the contribution sought.</p> <p>A full copy of the Police's request for developer contributions can be viewed at the Council Offices.</p>	
<p>Ramblers - object</p> <ul style="list-style-type: none"> • The application states that no diversion to Public Rights of way are required. The far eastern end of footpath E15 will require the line of the path to be amended. • The application also fails to show any consideration to the footpath during the construction phase of the development or the surface of the path where it exits onto a new road and the impact of the new development on people using the footpath. 	<p>Amended plans have responded to the concerns raised and no diversion of the footpath is required. No further comments have been received in regards to the amendments.</p>
<p>Melton District Civic Society:</p> <p>The Society welcomes the beneficial reuse of the War Memorial Site but its concern about some aspects of the development are given below:</p>	<p>Noted.</p>

Affordable housing: There is no provision for affordable housing. Does the cost of repairing and converting the listed buildings completely rule this out? The scheme does offer many benefits including efficient use of previously developed land, repair of listed buildings, creation of public access to private land, and a long-term management plan for woodland. This is an extremely important site for Melton Mowbray; its development will have a significant effect on the way the town is perceived. Does Melton want to be viewed as a decaying market town or as a vibrant and pleasant place to live and work? If the development is not of a high standard Melton may be viewed as decaying market town.

Archaeology: The location of the site on the southern edge of the historic town centre means that it is likely to have been traversed by people travelling south from the town on the old London Road. It is admitted in the "Planning Statement" (para 9.6) that the site has archaeological potential therefore a condition of planning approval should be that a thorough archaeological assessment is carried out.

Footpath: The maintenance and enhancement of footpaths on the site is a positive feature of proposal (para 8.22).

Northern Parkland: It has been suggested that a creative use of part of the Northern Parkland would be to have a car park near to the river and a footbridge over the river to allow level access to the station platform for trains going in the Leicester direction.

Retirement housing: The need for retirement housing is likely to increase therefore this aspect of the proposed development is good. The location will be far more convenient for the occupants and more sustainable than retirement provision away from amenities of the town such as medical facilities, shops, and cinema.

Traffic: In the "Planning Statement" which accompanies the application it is stated that "...there have been no material changes to the road network and therefore no reason to suggest that a less dense scheme would create concerns for the Highway Authority. Traffic from the residential project would not adversely affect the operation of the highway network." This statement would appear optimistic in view of the changes in traffic movements in the area since the construction of "Parkside". The application includes parking spaces for up to 216 vehicles and a retirement complex in which it is likely that staff will be employed thus there will be additional traffic

The benefits of the proposal are to be weighed against the dis-benefits and in the case of this proposal the benefits weigh in favour of no affordable housing units.

The applicant is to make provision for a programme of archaeological investigation and recording, commencing with an initial exploratory stage. This can be secured through conditions.

Noted.

The management of the northern parkland will be taken on by a third party.

Noted. There is a demand for 'later living' accommodation given the boroughs aging population.

The Highways Authority have commented on the application and do not object. The comments made in the application compare the proposal to the extant permission for 108 houses and the previous use as a hospital.

generated along the already very busy Ankle Hill. The effect of the development on traffic in the locality must be carefully analysed by the Highway Authority.	
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Representations:

A site notice was posted and neighbouring properties consulted. As a result **8 letters of objection have been received from 8 households and 1 letter of collective objection from residents on Ankle Hill - unsigned. 1 letter of comments and 1 letter support have also been received.** Following amended plans one further comment has been received informing that their objection still stands. The representations are summarised below:

Representations	Assessment of Head of Regulatory Services
<p>Impact upon the Character of the Area:</p> <p>Behind existing garden proposing to build a two and half story house, why? There are no other houses of this type in the near area.</p> <p>The redevelopment of 2.5 storey large 4/5 bedroom dwellings is out of keeping with the area.</p>	<p>The proposal seeks to provide a mix of 2 and 2½ storey dwellings ranging in heights from 7.9 metres to 9.6 metres within the southern parkland backing onto the houses from The Drive and Dalby Road. The comments received were prior to amended plans which have amended house types and moved some plots further from the boundaries to ensure that no adverse impact would occur and trees in neighbouring gardens can be safeguarded from the development.</p> <p>The design of the proposed dwellings has not sought to replicate the styles of the existing dwellings nearby which are large two storey brick and tile dwellings sitting in large spacious plots. Nor does it pick up the style of dwellings sitting along Ankle Hill which are a mix of two storey detached and semi-detached dwellings sitting in elevated positions.</p> <p>Local Plan policy OS1 seeks to ensure that new development is in keeping with the character of the area and that it would not have a detrimental impact upon residential amenity. The NPPF at paragraph 60 advises that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirement to conform to certain development forms or styles. But it does advise that it is proper to seek to promote or reinforce local distinctiveness. Paragraph 61 advises that good design goes beyond aesthetics considerations and the way a place functions and integrates with the natural built and historic environment are equally as important.</p> <p>The local policy OS1 is considered to be complemented by the NPPF design chapter 7 and still commands weight when considering planning proposals. It is considered that the redevelopment of the site will command its own distinctiveness and sense of place when travelling around and through it. This is largely due to the site having three distinctive aspects which are</p>

<p>The proposal far exceeds previous permission to restore the site which retained the basic structure of the historic landscape and setting of the listed buildings</p>	<p>viewed, in part, independently. The northern parkland free from built form and having a sharp rising topography bound by the riverside setting, the listed buildings and the start of the residential development sitting in an elevated position framed by the northern parkland and the southern development consisting of the modern dwellings separated from the listed buildings by the woodland area and the apartment block. When viewed from inside the site the existing dwellings will not be read in the same context and it is not considered that the development would have a detrimental impact upon the existing character because of the unique qualities identified above.</p> <p>The development of the Southern Parkland extends beyond that area previously granted for development. This was largely constrained by what the NHS was allowing to be developed but also from a policy designation as Protected Open Area (BE12). The extant planning permission has no realistic opportunity to come forward without modification due to viability constraints. The provision of detached housing provides a solution by aiding to the viability of the scheme but requires more land. The proposal includes the triangular piece of land immediately behind nos. 45-57 Dalby road and the area along the access drive (plots 1-8), both areas are designated as Protected Open Area (POA); along with the wider area of the northern parkland. Policy BE12 of the Local Plan seeks to resist development on protected open areas unless it is in connection with an existing use or would not adversely affect the intrinsic character of the area. To depart from the policy could only proceed if there were other material considerations that warrant a departure from this policy.</p> <p>The provision of good quality housing to meet the Borough's housing supply is a material consideration; and in light that the Council does not have a five year land supply, significantly weighs in favour of development where any adverse impacts can be made acceptable. This part of the site is dissected by the road and it is therefore considered that to develop on this portion of the POA, along the northern entrance, would not have an unduly detrimental impact upon the intrinsic character of the designation. This is due to a large portion of the northern parkland remaining undeveloped and open to members of the public as open space provision. The dwellings have been situated to sit along the back edge of the highway facing out over the parkland providing an active street frontage, aiding to the legibility and natural surveillance of the site. Plots 1-8 back on to one another ensuring all private amenity areas remain inward facing, removing the need for boundary treatments.</p>
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<p>Inadequate provision of public open space.</p>	<p>The triangular piece of land within the southern parkland (behind nos. 45-57 Dalby Road) would have been bound by harsh boundary treatment securing the private amenity areas and would not have conformed to secure by design principles. There was an option of turning the dwellings to face out which would have meant that the rear elevations of the dwellings would be presented to the listed lodge and that would have raised other issues in regards to setting of the listed buildings. The parcel of land would have become detached from the remainder of the parkland, being tucked behind residential dwellings and was considered to have no positive contribution to the overall scheme. It was considered that a better alternative was to incorporate into the development as part of the overall scheme providing adequate separation can be provided from the residents along Dalby Road. This arrangement allows for the proposed dwellings to sit either side of the internal 'loop' road and in turn providing a better relationship to the listed building, allowing plots 9-12 and 19-22 to back onto one another removing the need for harsh rear boundary treatment to secure amenity areas.</p> <p>The revised scheme, whilst proposing less residential units will mean that more land is to be built upon. However it is considered that the revised layout provides adequate separation from existing residents and between the proposed dwellings. Likewise the arrangement has taken into account the setting of the listed buildings but does require more loss of semi- mature/mature woodland to facilitate the development. There will be opportunities for replanting of trees and a feature open space is to be provided to the entrance of the southern part of the site and overall it is considered that the proposal has a more realistic opportunity in being developed to the benefit of restoring the listed buildings and parklands to the benefit of the town.</p> <p>Policies H10 and H11 of the Adopted Melton Plan state that planning permission will not be granted for new residential development unless amenity open space and outdoor playing space is provided within the site in accordance with Appendix 5 and 6 of the Local Plan. Appendix 5 states that the Council will require the provision of public amenity space for passive recreation in residential development of 10 dwellings or more. Provision of open space should be made at the rate of 5% of the gross development site area. Appendix 6 of the Local Plan states that on developments of 15 or more dwellings, every dwelling must be within a 1 minute walk (60m straight line distance) of a Local Area for Play (LAP).</p>
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	<p>The application proposes the provision of the northern parkland as public open space. This area is approximately 3 hectares which is well in excess of the 5% requirement in the local plan. The application does not propose any formal play equipment. However, in considering the previous planning application for 108 dwellings the Amenities Officer had no objection to the lack of play equipment and considered that the parkland could be considered as a natural play area. The remainder of the open land within the development will be accessible by members of the public. It is therefore considered that the provision of open space would comply with policies H10 and H11 of the adopted Melton Local Plan and would contribute to the residential amenity in the area.</p>
<p>Impact upon Heritage</p> <p>We do not object to the development of the site, however, we do object to the demolition of part of the listed buildings. Listed buildings are part of our country's/town's heritage and should be preserved or sympathetically renovated not demolished. Otherwise, what is the point of listing them in the first place</p> <p>The removal of so many mature trees will have a detrimental impact upon the setting of the listed buildings.</p>	<p>The original Victorian building group has been extended to the west and south as part of the expansion of the hospital complex. These additions are not formally listed, although are considered to be curtilage listed and are to be demolished.</p> <p>The proposed scheme seeks both the retention and enhancement of the Listed Buildings and their setting through sensitive conversion and removal of inappropriate extensions and outbuildings. These buildings are not considered to be of any architectural merit nor to form part of the historic connection of the Lodge as they are relatively modern. These conversion proposals are welcomed by the Conservation Officer to ensure the future retention of the building.</p> <p>There are a large number of trees on the development site which form part of the character of the site and contribute to the setting of the listed buildings that are also subject to Tree Preservation Orders (TPO). Policy C16 advises against the loss of valued woodlands and trees covered by TPO's unless there is no alternative site suitable for the development and replacement trees are planted at an alternative site of equal value. A detailed survey has been submitted of all trees on the site and a report detailing works required. The report proposes removal of some trees that are in unhealthy condition and works to improve the condition of other existing trees. The amount of tree loss that would arise as a direct consequence of the development (as opposed to tree maintenance reasons) is limited to those required to be removed to allow the development of the retirement block, to the west of Wyndham Lodge, plots 1-8 and to facilitate the loop road and some of the dwellings to the South. It is considered that the loss of these trees would not have an adverse or unduly detrimental impact on the character and appearance of the site as a large</p>

	<p>cluster of trees are to remain within the centre of the site immediately to the rear of the Wyndham Lodge. The perimeter trees along Ankle Hill would continue to provide a prominent 'avenue' feel and other views would maintain the parkland, character. A condition can be imposed to secure replacement trees to be planted within the northern parkland and within the public open spaces throughout the development.</p>
<p>Impact upon Highway Safety:</p> <p>Concerned at the impact the development will have on the traffic on Ankle Hill - a street already blighted by heavy traffic.</p> <p>The location of the access road opposite 59 and 57 Ankle Hill is completely unnecessary and will pose a serious risk to an already dangerous road.</p> <p>The proposed access on Ankle Hill by the public footpath is without doubt a place where an accident would be waiting to happen. The speed of the traffic coming down the hill from around the bend and the parking of cars upon the road will make for an extremely dangerous junction in close proximity to a footpath used by many people including children.</p>	<p>Noted. The Highways Authority has no objection to the revised scheme. The two access points into the site are in line with the approved access points of the earlier consent.</p>
<p>Impact upon Ecology:</p> <p>What considerations have been made for the wildlife that inhabit the area? There are bats, muntjac deer, grass snakes, birds of varying species including woodpeckers, tree creepers, nuthatches, fly catchers and various warblers.</p> <p>It will result in a great deal of harm to the biodiversity which currently exists and has taken hundreds of years to develop and thrive. Grass snakes, bats, voles, rural foxes, herons, owls, kingfishers woodpeckers to name a few are all part of the diverse wildlife witnessed on site.</p> <p>The loss of irreplaceable habitat such as the loss of significant trees and tree groups and other important landscape features on the scale proposed will have an irrevocable harmful impact on wildlife and biodiversity.</p>	<p>An ecological survey has been submitted with the application. No objection has been received from County Ecology subject to conditions requiring further the exact position for the bat boxes. The retention of a large portion of trees and the parkland is welcomed, however, due to the ecological sensitivity of the site ecology request that the parkland is subject to a management plan.</p> <p>It is considered that this can be covered by means of a condition</p>
<p>Loss of Trees:</p> <p>The trees have preservation orders upon them and most of them are in a healthy condition so why are many of them being felled?</p> <p>We feel strongly that you need to avoid the loss of established, healthy trees.</p> <p>Many of the trees are veteran trees and covered by TPO.</p> <p>The previous scheme did not seek to remove so</p>	<p>Noted. Please see LCC Forestry commentary above for full assessment.</p> <p>Amended plans have been submitted which revise the layout of some plots and the loop road in order to retain more important trees and allow for root barrier protection to neighbouring trees not within the site.</p>

<p>many trees.</p> <p>The felling of 69 trees (and tree groups) across the site, including a substantial number of high grade trees, would have a substantial adverse impact on the landscape of the site and in turn, on the character and appearance of the surround areas.</p> <p>Plot 24 will affect the mature tree in our garden.</p>	
<p>Loss of Residential Amenity:</p> <p>We feel that the planned dwelling immediately behind 45 Dalby Rd is far too close to the boundary resulting in loss of privacy and making the development look generally overcrowded and overdeveloped. There is also an issue in our minds concerning a large, healthy pine tree in our property which may be damaged by excavation work carried out too closely to our boundary.</p> <p>The proposed development of plot 24 and its close proximity to our boundary would affect our residential amenity. (57 Dalby Road)</p> <p>The redevelopment of the South parkland would create overlooking to the residents that back on to that area.</p>	<p>The relationship between No. 45 and plot 15 was one of the reasons amended plans were sought. The amended plan has revised the house type to remove what would have been an over bearing elevation close to the boundary and removed the first floor window on the western elevation. Plot 15 will be a 2 storey dwelling with a height of 7.9 metres. No. 45 sits on a higher topography as the land slopes up from the north and has installed a balcony over the single storey extension. The separation distance from the western elevation to the extension is 20 meters which is considered to be an acceptable distance and also ensures that the pine tree is afforded root protection from the construction. Whilst No.45 will experience some loss of view it is not considered that the residential amenities will be adversely affected by overlooking due to design and positioning of plot 15.</p> <p>The comments received were prior to amended plans having been submitted, which has altered the layout slightly to overcome previous concerns. This has led to a renumbering of the plots and it is now plot 23 that sits behind no. 57 Dalby Road. No comments have been received following the amended plans however the house type has been substituted from a 2 ½ storey dwelling, of a height 9.6 metres to a 2 storey dwelling with a height of 7.9 metres. The orientation has been turned further to the north and the separation distance from the corner of plot 23 to no. 57 is 25 metres which complies with the Councils separation standards for development of this type.</p> <p>There are a total of seven properties that back on to the southern parkland which will now have their outlooks affected by the proposal. Four of those properties would have development behind them should the extant planning permission proceed. Nos. 45-57 was previously unaffected. The Council applies a separation distance in order to safeguard resident's amenity from overlooking. In the case of the revised layout plan, the separation meets with those accepted distances and in some instances exceeds it. There is no doubt that visual outlook will be affected to a degree as previously the properties viewed over the parkland. The Council cannot safeguard a 'view' and providing development proposals have an acceptable relationship in terms of height, scale</p>

	and massing it is not considered that the proposal would have an adverse impact upon residential amenities as safeguarded by policy BE1.
<p>Contrary to Planning Polices:</p> <p>Planning law required that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the local plan comprises the development plan and the Framework and the Development Brief comprise other material considerations. It is clear that the proposal is contrary to the local plan polices OS1, BE1, BE6, BE7, BE8 and BE12 and these policies must be given greatest weight as matter of law.</p> <p>Will result in the loss of Protected Open Area to the north parkland and will be contrary to policy BE12.</p> <p>Contrary to local plan policy C16 – protection of trees with preservation orders and important woodland.</p> <p>The loss of mature and veteran trees is direct conflict with policy OS1 (criterion d) and the NPPF in regards biodiversity.</p> <p>The development of the south parkland is contrary</p>	<p>For the purpose of local decision making the saved policies of the Local Plan forms the development plan. The relevant policies for this proposal are OS1, BE1, BE12, H10, H11, and C16 are the relevant policies (as stated above under ‘Planning Policies’). Policies BE6, BE7 and BE8 were not saved by the Secretary of States saving direction in 2007 The development plan is therefore ‘silent’ on matters relating to heritage assets and therefore the NPPF is the prevailing policy, in particular chapter 12 – Planning for the Historic Environment.</p> <p>The site lies within the Town Envelope where there is a presumption in favour of development and is an extremely sustainable location given the close location to the town centre and the provision of services available. There is an extant planning permission for the site and therefore the principles for redevelopment of the historic site have already been established but the development was contained to areas not subject to Protected Open Area status. Policy BE12 seeks to safeguard these important areas and advises that development is required to be in association with an existing use or that development proposals would not have an adverse impact upon the intrinsic character. Development in these areas has been considered above (pages 22-23). However it is not considered that the proposal would have a detrimental impact upon the intrinsic character because it involves a small portion of land covered by the designation, leaving the majority of the northern parkland free from development. The benefits of the proposal, contributing to housing supply and management of the grade II listed buildings and parkland far outweigh the limited degree of harm identified within the report.</p> <p>The policy does not preclude development proposal from taking place where tree removal would be required to facilitate development. It sets out circumstances where it may be acceptable to do so, such as, there being no alternative sites suitable for the development and providing replacement trees are planted at an alternative site of equal value. The proposal is enabling development, securing the longevity of the listed buildings through putting them into a viable use. Therefore development is to be contained to this site and could not take place elsewhere. The proposal includes a number of public open spaces and retention of the 3 hectares of northern parkland and replacement trees can be accommodated on the site where necessary.</p> <p>A Development Brief for the site was adopted on</p>

<p>to the Development Brief for the site. Particular para. 1.16 which recognises that the re-use of the War Memorial Hospital site could have a significant effect on the quality and character of the area. It advises that "it is important that the appearance of any development proposal and its relationship with its surroundings does not harm and, where possible, benefits the area.</p> <p>The National Policy Planning Framework (NPPF) paragraph 17 states that a core planning principle is "recognising the intrinsic character and beauty of an area" which is being ignored as far as the south parkland is concerned.</p> <p>The NPPF paragraph 75 states that " planning policies should protect and enhance public's right of way and access" access will be cut off to the south parkland for residents off Dalby Road.</p> <p>NPPF paragraph 123 also states that it is important to "identify areas of tranquillity which have remained relatively undisturbed by noise". The submission by Projects 2000 Ltd for a road throughout the site as well as parking for approximately 96 cars and the density of housing proposed shows that there will be an increase of noise in this historically uninhabited area.</p> <p>The NPPF paragraph 130 points out that "where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state should not be taken into account in any decision." Therefore this should not be a reason for allowing the site to be developed</p> <p>Local Plan Policies OS1 and BE1 state that planning permission should only be applied for</p>	<p>14 September 2004. This describes the site and its surroundings, planning policy context, development constraints and guidelines and other relevant information. The key issues relate to the protection of the listed buildings and parkland, traffic and suitable alternative uses. The brief confirms that the site has the potential for residential conversion. However, it states that the parkland (comprising the protected northern parkland and the un-developed land to the south) is not suitable for development and should be made available for informal recreation. However the extant planning permission allows for some development in the southern park land and in considering this proposal the harm is required to be balanced against the benefits of the proposal.</p> <p>The development brief is 10 years old and since its publication the site has deteriorated and the Government has introduced a change in policy direction through the NPPF. It is therefore considered that the development brief can only be afforded limited weight. The southern parkland is considered to be greenfield and not brownfield and the NPPF encourages the re-use of brownfield land but there is no prohibition on the use of Greenfield land. In Melton's circumstances, there is insufficient brownfield land to meet supply and Greenfield locations are required to satisfy demand.</p> <p>The definitive public right of way (E15) will remain unaffected by the development proposal. There are provisions for rights of way through the site leading out to the northern parkland for the benefit of all residents in the area and LCC are seeking a Dedication Agreement to ensure that the rights of way remain available for public use. Private individual access from properties is not a planning consideration and not supported by para. 75 as quoted. .</p> <p>The Council has no identified areas of tranquillity and the site is in private ownership. The redevelopment proposal has been assessed against the relevant policies of the local plan and the NPPF and is considered to respect the residential amenities of the nearby properties.</p> <p>The site has an extant planning consent and this is a material consideration when considering the proposal. The applicant is not currently the owner and cannot be held accountable for the deteriorating state of the site. See also commentary on pages 8 and 9 above.</p> <p>There are seven different designs of dwellings</p>
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<p>development where the form, character and appearance of the settlement is not adversely affected; the form size and scale of the development is in keeping with the character of the locality; and that the buildings harmonise with the surroundings etc. It is clear that the proposed houses are of a generic design and no consideration has been given to what would suit this proposed location.</p> <p>The need for housing does not outweigh the detrimental affects that this development will create. Any benefits from the proposed development, if at all, will be significantly outweighed by the adverse impacts to the local area, biodiversity and local and residential amenities.</p>	<p>ranging from 2 and 2 ½ storey of 3/4/5 bedrooms. The proposal does not seek to replicate housing design in the area but does introduce good quality housing that will have its own distinctive approach to the redevelopment of the site. This has been discussed above in detail on pages 22-23.</p> <p>The National Planning Policy Framework (NPPF) provides guidance at a national level. In relation to existing development plans. The NPPF states that due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The saved policies of the adopted Melton Local Plan should be applied in this context.</p> <p>The NPPF is founded upon a presumption in favour of sustainable development which in relation to decision making means approving 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 the Framework taken as a whole, or, specific policies in the Framework indicate development should be restricted.</p> <p>As summarised above (page 2-4) the NPPF seeks to boost housing supply and requires provision of a 5 year supply of housing land plus 5% 'headroom'. Melton's most recent analysis concluded that this is not being met and the available supply is significantly below 5 years. There have been no recent challenges to this position. The NPPF further advises that housing policies should not be considered up to date if a 5 year supply cannot be demonstrated. This is in addition to its more general approach (at para. 14) that where a local plan is out of date permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits, judged by the content of NPPF.</p> <p>The development proposal if approved will ensure that the listed buildings are repaired, renovated and put into a viable use to secure their longevity and secures the long term management for the site including the parklands for generations to come and therefore commands significant weight in determining the proposal. There are to be net biodiversity gains and protected species are to be safeguarded throughout the development and it has been demonstrated that the residential amenities of the bounding properties will not be unduly affected by the proposal.</p>
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	<p>The proposal will provide 98 dwellings for the borough and just as important in the right location within the town to support sustainable development objectives. However, compromises are sought in relation to no affordable housing provision and some development on designated protected open area. The redevelopment of a strategic site in the town will assist with the Council meeting its obligation in its supply of housing for the borough in line with the NPPF.</p> <p>It is considered that the harm identified does not outweigh the benefits the proposal will have to the residents of the town due to the unique constraints to the sites redevelopment.</p>
<p>Other Matters:</p> <p>Some of the properties backing onto the site from Dalby Road have access directly into the fields. We would still like to have direct access from the garden. I also believe that there is a law of Prescriptive Right of Way, this states that if a resident can prove at least 20 years uninterrupted use, exercised without force or secrecy and without the express permission of the landowner then they will have a Prescriptive Right of Way by Law.</p> <p>Welcome the redevelopment but would still like to have access to the parklands in the future. It is used by many dog walkers.</p> <p>Residents in the middle of Ankle Hill have no means of off street parking and should be able to park in a way to alleviate the traffic flows</p> <p>Devalue of existing properties.</p> <p>Pollution from the construction will have serious health impacts to our son who is recovering from treatment for Neuroblastoma, located in his lung cavity. Any air pollution in this close a proximity will be detrimental to his health and a possible trigger for future breathing difficulties or severe risk of infection, a risk we do not believe a child should be subjected to within his own home.</p>	<p>Noted. However access rights are to be perused through the civil courts and not via the planning process. The site is in private ownership however access routes through the development site will be provided directly from the public footpath to the south and from Ankle Hill. This will assist with the connectivity through the site giving residents access to the northern parkland.</p> <p>This is outside of the control of the proposal.</p> <p>House value relates to a private interest and therefore not a planning matter.</p> <p>Whilst there is a genuine concern for the parent and child, this falls outside of the scope for considering planning proposals which is required to be considered against the public interest and not private individuals. Ankle Hill is already subject to traffic and there is some pollution from vehicles as a result. Air pollution from vehicles is currently monitored in and around Melton and there are no significant problems. The nearest monitor is on Burton Road and is currently well below national action levels. Monitoring of pollution from vehicles is on-going and if levels were to exceed the action level then Melton Borough Council will produce an action plan. However construction at this site will not be long term and the impact is unlikely to trigger an action plan.</p>

<p>Concerns expressed in regards to the validation of the application and consultation requirements.</p>	<p>The application has been supported with sufficient information in order to validate the application. The proposal is a major development application not complying with the development plan due to proposing residential development on designated Protected Open Area and within the grounds of a listed building. The application has been advertised in the local press and by a site notice under article 13 of the Town and Country Planning (Development Management Procedure) (England) Order. Neighbouring properties have also been consulted on the proposal.</p> <p>There is no requirement to consult with the Secretary of State as the proposal does not involve the demolition of grade II* listed buildings.</p>
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Other material considerations not raised through representation

<p>Consideration</p>	<p>Assessment of Head of Regulatory Services</p>
<p>Design:</p> <p>Later Living Apartment Block</p>	<p>Part of the extant planning permission makes the provision of a four storey retirement block containing 35 apartments. The latest proposal seeks to increase the provision to 38 one and two bedrooms, through a total redesign from that approved.</p> <p>The apartment block will be over three floors incorporating rooms within the roof. It exploits the rising topography and to maintain the visual height level drops to a two storey building to the south. It will have a maximum ridge height of 12 metres sloping to eaves height of 8 metres. It has been designed on a curved building line with the principle elevation facing out to the public landscape area behind Wyndham Lodge and will sit behind the stable block, wrapping around the west and south elevations. The southern wing will project closer to Ankle hill at two storey height of 9.6 metres with an eaves height of 5.5 metres. The apartment block sits behind the stable block, which is a modest two storey building sitting on a lower topography. There is a concern that the apartment block will dwarf the listed stables and be imposing and a streetscene from Ankle Hill and the Parkland has been submitted to assist with the assessment.</p> <p>Undoubtedly a large three storey building in close proximity to a listed building will affect the setting. It is at present affected to a degree by the large extension to the hospital. The approved scheme has set a precedent for some form of building in this location and because of the topography the streetscene shows that the apartment block will not be so dominating to be considered to have a detrimental impact.</p> <p>The elevations seek to replicate some of the</p>

<p>New dwellings</p>	<p>architectural features of Wyndham lodge such as gabled bays with parapet roofs and propose a mixture of matching and contrasting materials. The construction materials put forward for the walls is Ibstock Leicester Red brick (to match the new housing), with white render sections and stone work to match the listed buildings. No decision has been made in regards to roof materials but it is suggested that the windows will be dark grey in colour. A condition can be imposed to ensure that the materials are appropriate in this location.</p> <p>Seven different designs will make up the development of the 40 no. dwellings. 6 no. will be semi-detached with 34 no. being detached. The design features consist of steeply pitched roofs, detailed window heads and sill with dormer windows of two designs – pitched and eyebrow on some of the dwellings. The dwellings are orientated to face the access road and overlook the parkland, woodland and public open spaces.</p> <p>The construction materials for the walls will be a mixture of Ibstock Dorest Red, Ibstock Leicester Red and Ibstock Leicester Autumn Multi stock. The roof tiles are to be forticrete Gemini Plain tiles in a mix of colours to add to variety but will mainly be Slate Grey but also Smooth Brown and old English Dark Red. These materials are typical of the Melton and surrounding areas where new development has been constructed.</p> <p>The majority of the dwellings are sufficiently set apart from the listed buildings and the bricks proposed would be acceptable however some stone detailing would be desirable to plots 10-15 which will be viewed alongside Wyndham Lodge. Materials can be secured by condition.</p> <p>The new built element of the proposal is considered to provide an acceptable arrangement with the listed buildings. Whilst the design of the new dwellings and apartment block is not typical of the local area it does respond well in context with this unique site. It is not considered that the design would have a detrimental impact upon the character of the area for reasons stated above and the proposal complies with local plan policies OS1 and BE1.</p>
<p>Layout</p>	<p>The whole development centres around the circular public open space. Wyndham Lodge rear aspects look over it and the apartment block and plots 9 and 22 have been designed to overlook this area. A circular pathway is proposed with access through the woodland area which leads to the loop road that is accessed at two points along Ankle Hill. The dwellings have been situated to face out over the internal road and to provide active roadside frontages giving surveillance of</p>

	<p>the public open areas and parkland. The northern Parkland will be part of a maintenance agreement and will contain the surface water management for the site.</p> <p>The relationship between the buildings have been assessed and is considered to be acceptable complying with the local plan policy BE1 – providing adequate space between them.</p> <p>It is considered that the layout of the scheme is constrained to areas away from then northern parkland and listed buildings which are to retain importance within the scheme. The layout provides sufficient parking, public and private amenity space and is considered to comply with the local plan policies OS1 and BE1.</p>
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Conclusion

It is considered that the application presents a balance of competing objectives and the Committee is invited to consider all of these when reaching its conclusion. The NPPF approach to the ‘presumption in favour of sustainable development’ requires that any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or that specific policies in this Framework indicate development should be restricted. In addition, of particular relevance to this application, paragraph 140 advises that *“Local Planning Authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset outweigh the disbenefits of departing from those policies”*.

The Borough is deficient in terms of housing land supply more generally and this would be partly addressed by the application, and is considered to comply with the local plan policies and constitutes sustainable development as promoted within the NPPF in terms of its location and access to services. The site in its present form, despite having an extant planning permission, has not moved any further forward since its closure as a hospital complex in 2005. This has led to a deterioration of the site but more importantly a rapid decay in the grade II listed buildings. The site has many financial constraints as a result of its unique character, housing important listed buildings set in 3 hectares of treed parklands and compromises have been requested in relation to the absence of affordable housing provision and limited S106 financial contributions.

In conclusion, it is considered that, on the balance of the issues, there are significant benefits accruing from the proposed layout when assessed as required under the guidance in the NPPF in terms of housing supply and safeguarding important Heritage Assets.

The ‘negative’ balancing issues – the loss of protected trees and intrusion into designated Protected Open Spaces – are considered to be of limited harm in this location due to the land-take involved and the overall design, layout and future management of the parklands. The development also has shortcomings in terms of its housing mix not responding ideally to local needs and in particular the absence of affordable housing, and is also deficient in terms of not meeting the infrastructure needs of the County Council and Police through developer contributions.

The development of the site would restore a prominent historical site with two important listed buildings and as such para 140 of the NPPF is applicable. The shortcomings described above (affordable housing, housing mix and infrastructure provision through contribution) represent departures from NPPF policies directly associated with the enabling development, and therefore also need to be judged in balance with the securing of the heritage assets, Wyndham Lodge and the Stable Block.

Applying the ‘test’ required by paragraph 14 of the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that considerable weight should be assigned to the housing land supply issues and the restoration of historic assets in particular. The Council is persuaded that the viability of the scheme is such that the development cannot proceed if the

infrastructure requests are required to be met. Whilst important, it is considered that the refusal of permission based on the absence of s106 developer contributions would forego the very significant benefits arising from the scheme and as such the balance of the issues falls in favour of approval.

Discussions are continuing regarding the provision of s106 contributions and a verbal update will be provided to the Committee. It is therefore recommended that the application is permitted in accordance with the terms set down by the Committee regarding such obligations following an update.

Recommendation: PERMIT, subject to:

- (a) The completion of an agreement under s 106 to secure the following contributions (as set out above):
 - (i) Contribution for the improvement to civic amenity sites.
 - (ii) Contribution for the improvement to library facilities.
 - (iii) Contribution to dry side leisure facilities
 - (iv) An agreed phasing approach to the development to secure the restoration of the listed buildings.
 - (v) Such sums as may be agreed as appropriate as a contribution to Police infrastructure

Conditions:-

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The proposed development shall be carried out strictly in accordance with plan drawing numbers MM-204 Rev E, MM-210 Rev B, MM-211 Rev B, MM-203 Rev D, MM-212 Rev B, MM-213 Rev B, MM-205 Rev C, MM-208 Rev B, MM-202 Rev E, MM-214 Rev B, MM-215 Rev B, MM-206 Rev D, MM-209 Rev B, MM-201 Rev C, MM-216 Rev B, MM-217 Rev B, MM-218 Rev B, MM-219 Rev B, MM-220 Rev B, MM-221 Rev A, MM-207 Rev D, MM-401 Rev C, MM-402 Rev B, MM-301 Rev B, M&S 101 Rev K, M& S 102 Rev D, M& S 103 Rev D, M& S 104 Rev A, 13040-SK20B and MM501 Rev B received by the Authority on 15th January 2014.
3. No development shall start on site until all materials to be used in the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.
4. All works of making good the existing fabric of the building shall be carried out in reclaimed materials which shall match the existing in size, colour and texture and which shall be bonded in the manner prevailing in the building.
5. Before any work of demolition is begun the applicant shall take steps and carry out such works which shall, during the progress of the works authorised by this consent, secure the safety and stability of that part of the building which is to be retained in accordance with details to be first agreed in writing with the Local Planning Authority.
6. Prior to the commencement of the works hereby permitted detailed drawings of the windows to a scale 1:20 shall be first agreed with the Local Planning Authority. The window should be timber with single glazing.
7. Unless otherwise agreed in writing by the Local Planning Authority all materials resulting from the demolition shall be reclaimed and stored on site for re-use in the buildings to be erected on site.
8. All rainwater goods shall be carried out in cast iron or cast aluminium to match the profile of the existing rainwater goods.
9. A schedule of works shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works on the listed buildings. The buildings shall be refurbished in accordance with the approved plans and schedule of works. None of the dwellings within the listed buildings to be converted shall be occupied until written confirmation from the Local Planning Authority, that such works have been completed satisfactorily, has been received.
10. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all

existing trees and hedgerows on the land which are to be retained, unless otherwise agreed in writing by the Local Planning authority, together with measures for their protection in the course of development.

11. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
12. Details of the means of maintenance of all parts of the site not falling within the residential curtilage of any of the dwellings shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The arrangements shall be implemented in accordance with the approved details and shall be adhered to thereafter on a permanent basis.
13. No development shall commence on site until all existing trees that are not to be removed have been securely fenced off by the erection of post and rail fencing to coincide with the canopy of the tree(s) or fencing as may be agreed with the Local Planning Authority and to comply with BS5837. In addition all hedgerows that are to be retained shall be protected similarly by fencing erected at least 1 metre from the hedgerow. Within the fenced off areas there shall be no alteration to ground levels, no compaction of the soil, no stacking or storing of any materials and any service trenches shall be dug and backfilled by hand. any tree roots with a diameter of 5 cms or more shall be left unsevered.
14. Prior to the commencement of development and during the construction phase, the developer at his own cost shall appoint a Arboricultural Clerks of Works in accordance with section 5 (outline of Arboricultural Method Statement) of the submitted Arboricultural Assessment by EDP.
15. Prior to commencement of any works to the central woodland area recorded on the Tree Preservation Order as 'G1' a detailed survey of all trees to be removed and retain, including those requiring tree management shall be submitted to the Local Authority and agreed in writing. All works to the woodland group shall be carried out in accordance with the approved details.
16. The footpath leading from the public right of way E15, between plots 28 and 29, leading out to the northern parkland shall be subject to a formal dedication agreement to secure rights of way to members of the public. The footpath shall be hard surfaced and remain available for public use in perpetuity.
17. Before first occupation of any approved dwelling within the south parkland an all weather surface shall be provided on public footpath E15 along the southern boundary of the site in accordance with a scheme that shall be agreed in writing by the Local Planning Authority.
18. No demolition or development shall take place until an archaeological mitigation programme, informed by an initial phase of exploratory investigation, has been detailed within a Written Scheme of Investigation submitted to and approved by the local planning authority in writing. The mitigation programme shall make provision for both historic building survey and targeted archaeological investigation and recording. The Written Scheme shall include an assessment of significance and research questions; and:
 - The programme and methodology of site investigation and recording
 - The programme for post-investigation assessment and analysis
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - Provision to be made for archive deposition
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
19. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (18).
20. Where the development is to be phased, each phase shall not be occupied until relevant site investigation and post investigation assessment has been completed in accordance with the programme set out in the

Written Scheme of Investigation approved under condition (18) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

21. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.
22. Prior to demolition and tree removal the exact location of the proposed bat roosts, bat boxes and bat tubes must be submitted and agreed in writing by the Local Planning Authority as part of the bat mitigation strategy. Thereafter, these features must be retained in perpetuity. This mitigation strategy must follow the mitigation proposed in section 5 of the Ecological Appraisal (May 2013) and the letter from FPCR (December 2013).
23. No dwelling hereby permitted shall be occupied until such time as the junction of Ankle Hill and Burton Road has been improved in accordance with a scheme that shall first have been submitted to and approved by the Local Planning Authority in consultation with the H.A. before development commences.
24. Any garage doors shall be set back from the highway boundary a minimum distance of 5.5 metres for sliding or roller/shutter doors, 6.1 metres for up-and-over doors or 6.5 metres for doors opening outwards and thereafter shall be so maintained.
25. The gradient of the individual private access drives directly on to Ankle Hill shall not exceed 1:12 for the first 5 metres behind the proposed highway boundary. The gradient of the private roads shall not exceed a gradient of 1 in 30 for their first 10 metres from Ankle Hill.
26. Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be so maintained.
27. Any existing vehicular access that becomes redundant as a result of this proposal shall be closed permanently and the existing vehicular crossings reinstated in accordance with a scheme that shall first have been submitted to and approved by the LPA in consultation with the Highway Authority within one month of the new access being brought into use.
28. No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.
29. Before the development commences, details of the routing of construction traffic shall be submitted to and approved by the Local Planning Authority (LPA) in consultation with the Highway Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.
30. The car parking including any garaging and any turning facilities shown within the curtilage of, or serving each dwelling shall be provided, hard surfaced and made available for use before the dwelling is occupied and shall thereafter be permanently so maintained.
31. Before first occupation of any dwelling, its access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and shall be so maintained at all times.
32. Before first use of the development hereby permitted, 1.0 metre by 1.0 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway, in accordance with the current standards of the Highway Authority and shall be so maintained in perpetuity.
33. The type of garage doors fitted shall depend upon its set back from the proposed highway boundary. For garages set back 5.5 metres from the proposed highway boundary, only sliding or roller/shutter type doors shall be used, for a set back of 6.1 metres up and over doors may be fitted and for a set back of 6.5 metres opening outwards doors may be used.
34. Before any dwelling served by a single private drive off Ankle Hill is first occupied, visibility splays shall

have been provided out of the access on to Ankle Hill fully in accordance with details that shall first have been submitted to and approved by the lpa before development commences. Once provided these splays shall thereafter be permanently so maintained

Officer to contact: Mrs Denise Knipe

Date: 25th March 2014