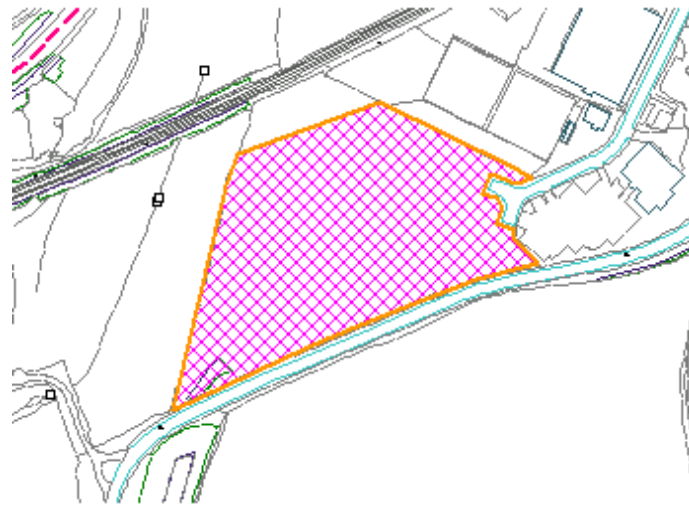


Reference: 14/00995/OUT
Date submitted: 12.12.14
Applicant: Westleigh Partnerships Ltd
Location: Land West Of Bowling Green, Leicester Road, Melton Mowbray
Proposal: Residential development comprising the construction of around 54 dwellings and circa 1360sqm (GEA) of B1 (a) Office space together with associated infrastructure, car parking provision, open spare, landscaping and sustainable drainage



Proposal :-

Members will recall this application being deferred at the meeting of 27th August to allow additional investigation into the odour conditions affecting the site.

This application seeks outline planning permission for the construction of around 54 dwellings and circa 1360sqm (GEA) of B1 (a) Office Space together with associated infrastructure on land falling within the town envelope for Melton Mowbray. A separate application has also been submitted for the small parcel of land to the north to be used as a public open space for the development which is also due to be considered at this Committee. The site consists of a parcel of land which is considered to be greenfield land, not having been previously developed and would be accessed directly off Leicester Road.

The application seeks consent for the access only with all other matters relating to layout, scale, appearance and landscape reserved for later approval. An indicative layout plan has been provided to show how the site could be developed should approval be granted.

The application has been supported by a Planning Statement, Draft heads of terms (S106), Design and Access Statement, Transport Statement, Ecology Appraisal, Noise Document, Geo- Environmental Report, Flood risk and Drainage strategy and Employment Report. 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 and the NPPF**
- **Impact upon the character of the area**
- **Impact upon residential amenities**
- **Noise and Disturbance**
- **Highway safety**

The application is required to be presented to the Committee due to it being a major application with a number of issues.

History:-

12/00611/DIS – Approval granted for the discharge of the materials planning application approval 10/00190/EXT (07/01012/OUT)

12/00594/VAC – Approval granted to vary conditions in relation to landscaping imposed on the outline consent to allow the development to be phased.

12/00335/DIS – Approval granted to discharge conditions 4, 6 (landscaping) 7 (drainage), 12, 13, 14 (highways), 19 (bus stop) and 22 (trespass fencing) relating to Planning Application Approval 10/00190/EXT (07/01012/OUT)

12/00334/REM – Reserved Matters Approval for development to provide buildings for B1 use within a Business Park setting. (Outline approval 10/00190/EXT)

10/00190/EXT – extension of time granted for development to provide buildings for B1 use within a Business Park setting, 16th August 2010.

07/01012/OUT – Outline consent for access only granted for development to provide buildings for B1 use within a Business Park setting.

05/00977/OUT – Withdrawn – outline application for a development to provide buildings for B1 use was withdrawn.

90/00059 – for the erection of an association football clubhouse to serve adjacent pitch facilities at Leicester Road Recreation Area was taken to appeal for failure to determine. The appeal was allowed and permission granted in October 1990.

86/0003/OUT - Approved for proposed DIY Warehouse, Public House and Restaurant was granted planning permission on 30 April 1986

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS1 - allows for development within the Town Envelope 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 BE1 - allows for new buildings subject to criteria including buildings designed to harmonise with surroundings, no adverse impact on amenities of neighbouring properties, adequate space around and between buildings, adequate open space provided and satisfactory access and parking provision.

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 R1 – Allocates 1.9ha land at Leicester Road, Melton Mowbray for recreational purposes.

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 impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

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 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;
- recognising the intrinsic character and beauty of the countryside
- 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
- 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.

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

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:

Consultation reply	Assessment of Head of Regulatory Services
<p>Highways Authority: No objection</p> <p>The Transport Statement refers to the existing bus services, which are due to change following the recent review of supported services. As a result the nearest bus stops within 400 metres of the site will no longer be served by an hourly bus service, however the site will be within approximately 560 metres of a bus stop with has a 30 minute frequency. However given the proximity of the site to the town centre, schools, shops and other facilities, it would be difficult to argue that the proposal was not located in sustainable location in transport terms.</p> <p>Whilst the provision of an access on to Leicester Road is not ideal, there are no technical reasons why the access should be resisted, the Transport Statement suggests that the junction will not cause road safety problems or queuing on Leicester Road. Therefore the Local Highway Authority has no grounds on which to seek to resist such an access.</p> <p><u>Transport Improvements</u></p> <p>Given the size of site and service provision detailed above, to encourage Public Transport usage we would recommend upgrading the Leicester bound stop on Leicester road to include raised access kerbs and timetable case, and formalising the current ‘hail and ride’ Melton Bound stop on Leicester Road to include raised access kerbs and timetable case.</p> <p>In addition we would recommend upgrading the nearest bus stop served by the frequent town service on Edendale with Raised access kerbs and Timetable Case.</p> <p>An obligation for the provision of a Travel pack and two 6 month bus passes per dwelling, in addition to a Travel Pack and one 6 month bus pass</p>	<p>The application is seeking outline consent for the access only. An indicative layout plan has been supplied which shows how approx. 54 dwellings could be distributed around the site as well as access and parking arrangements for the office units.</p> <p>A single point of vehicular access from Leicester Road is proposed with a pedestrian/cycle link between the development and the Bowling Green. The final layout and design of the estate roadways and office parking areas will be provided at reserved matters.</p> <p>The application has been supported with a Transport Statement (TS) and the Highways Authority accepts the findings and do not object to the proposal.</p> <p>The proposal is considered to be acceptable in transport terms and would not have a detrimental impact upon Highway Safety subject to necessary conditions and developer contributions.</p>

<p>per employee is also recommended</p>	
<p>Environment Agency: No objection.</p> <p>The site lies in Flood Zone 1 and linked with application 14/00996/OUT, a separate application for public space within Flood Zones 2 and 3.</p> <p>There is provision within the linked application (14/00996/OUT) to provide above ground storage features. This proposal (14/00995/OUT) relies on below ground drainage with surplus flows being attenuated in online underground storage, connected to a new surface water pumping station within the development.</p> <p>As the proposal relies upon tanked storage and a pumped solution, we currently object to the proposal until such time as a SuDS scheme is proposed, either within 14/0995/OUT or within 14/00996/OUT.</p> <p>In the absence of an acceptable SuDs scheme, we object to the grant of planning permission</p> <p>However, on the receipt of additional information on 16 June 2015 the Environment Agency believes that the development would be suitable and not pose an unnecessary flood risk on site to users while not overly increasing flood risk elsewhere. However the development would only be appropriate and in accordance with National Planning Policy Framework if measures detailed in the Flood Risk Assessment are secured by way of planning condition with any planning permission.</p>	<p>The proposed development area is located within flood zone 1 although areas to the north of the application site are within known flood zones 2 and 3. This area along the boundary of the river is to remain as public open space (application 14/00996/OUT) and drainage scheme incorporating a surface water pumping station will be incorporated into the final layout of the residential estate to manage the surface water from the development in line with the Surface Water Management Act 2010.</p> <p>The application was supported with a Flood Risk Assessment and the Environment Agency are satisfied with the findings and have no objection subject to conditions.</p>
<p>Lead Local Flood Authority: No objection</p> <p>Based on the information available to the LLFA and the information given within the FRA, The LLFA in principle does not object to the proposed development, however it is noted that some areas may require a further investigation as part of the detailed design phase.</p> <p>Historic flooding</p> <p>The proposed site is situated within the River Wreake catchment, which leads from the Langham Brook to the River Soar near Cossington. There are 4 flooding incidents reported within this catchment. Within downstream catchment (approximate distance from the site)</p> <ul style="list-style-type: none"> • External property flooding due to culverted watercourse, Frisby on the Wreake (4.4km) • Highway and internal property flooding from surface water runoff, Frisby on the Wreake (4.7km) • Internal property flooding from surface water runoff, Quenilborough (11km) • Flooding of open space adjacent to watercourse during heavy rainfall, Quenilborough (11.4km) 	<p>The application is for outline consent seeking consent for the principles of development of approx. 54 houses, office space and for the access into the site.</p> <p>There has not been a fully worked up designed Sustainable Urban Drainage (SuDs) scheme submitted for approval although within the supporting documentation the developers have indicated that surface water flow will discharge through the below ground drainage, attenuation and pumping station prior to entering the existing sewer and release to the watercourse channel to the north of the site boundary.</p> <p>As this site is a 'greenfield' site the surface water run off rate can be no greater than it currently is and the SuDs system will have to be designed to accommodate all of the surface water from the development.</p>

If however there have been no reported incidents, we would advise that this does not mean there has never been historic flooding in this location or that the area is automatically free from a risk of flooding. It should be noted that any development has the potential to cause or aggravate flooding and it is essential that all forms of flooding are taken into consideration within any flood risk assessment or planning application. Where there is insufficient information regarding any aspect of risk, the responsibility to investigate will lie with the applicant.

Ground Water Flooding

The underlying strata have not been identified within the Flood Risk Assessment (FRA), however it is stated that the stratum below the site is classed as a minor aquifer intermediate. The most up to date geology data no longer uses these terms.

The proposed site is underlain by Bedrock formation of Blue Lias Formation (Secondary Undifferentiated), the site is also underlain by Superficial Deposits of Syston sand and gravel (Secondary A).

Secondary A aquifers are permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers. These are generally aquifers formerly classified as minor aquifers.

Secondary Undifferentiated aquifers are assigned in cases where it has not been possible to attribute either category A or B to a rock type. In most cases, this means that the layer in question has previously been designated as both minor and non-aquifer in different locations due to the variable characteristics of the rock type.

The FRA states that the site is not considered vulnerable to flooding from ground water. However, the nature of the underlying stratum indicates there is the potential for groundwater flooding to occur due to the presence of the secondary A aquifer. This stratum extends underneath Flood Zone 3 as such there is likely to be a high connectivity between groundwater levels and the watercourse. It is recommended that a comprehensive ground investigation should be carried out to assess the geology and groundwater risks, and the results are considered in the detailed design phase.

Fluvial Flood Risk

The site is predominately located within Flood Zone 1; however the boundaries of the site abut and intersect in places with Flood Zones 2 and 3. It should be noted that the Flood Zones are indicative based on high level assessment of flood risk as such this should be taken as an indicative line. It is

Only the proposed Public Open Space will be located within flood zones 2 and 3 (see application 15/00996/OUT). The Environment Agency has been consulted and has no objection to the proposal.

Noted.

<p>recommended that further investigation is undertaken to assess the sites fluvial flood risk.</p> <p>The development layout shown in appendix A of the FRA shows housing located along the western boundary in the location of the current railway embankment. If it is proposed to remove the railway embankment for the development it is considered that this could impact on the alignment of the Flood Zone boundaries, and could in turn have an impact on the level of fluvial flood risk on the proposal site. It is recommended that hydraulic modelling is carried out to assess the impact of removing the railway embankment.</p> <p><u>Pluvial Flood Risk</u></p> <p>From the surface water maps, it can be seen that the site may be at risk from surface water flooding along the western boundary; as such this factor should be taken into consideration in the design phase for the site. Any increase in impermeable areas on the proposal site should be positively drained to prevent any increased runoff on to the highway, specifically the A607 Leicester Road and Bowling Green as the surface water maps highlight these sections of the highway may also be at risk from surface water flooding.</p> <p>As stated in the Fluvial Flood Risk section, the development layout shown in appendix A of the FRA shows housing located along the western boundary in the location of the current railway embankment. If it is proposed to remove the railway embankment for the development it is considered that this could impact on surface water boundaries, and could in turn have an impact on the level of surface water flood risk on the proposal site. It is recommended that hydraulic modelling is carried out to assess the impact of removing the railway embankment.</p>	<p>There has been no objection from the relevant statutory consultees in respect of flood risk subject to conditions requiring a suitable Sustainable Urban Drainage scheme being approved.</p>
<p>Severn Trent Water Authority: No objection subject to condition securing disposal of foul and surface water.</p>	<p>Noted.</p>
<p>LCC Ecology: No objection subject to conditions.</p> <p>The ecological survey submitted in support of the application (FPCR, August 2014) identified no evidence of protected species within the application site boundary. However, the report identifies that the site had some potential to support foraging bats along the perimeter hedgerows and the hedgerows are also likely to support nesting birds. Section 4 of the report provides recommendations on minimising any potential impact of the development on protected species. We are in agreement with these recommendations and would request that they are forwarded to the applicant.</p>	<p>It is considered that the proposal would not have any adverse impact upon any protected species and can achieve net biodiversity gains within the site as stipulated within the NPPF particularly paragraph 109. The County Ecologist has no objection to the proposal subject to the conditions suggested and details of buffer zones can be looked at in more detail at the Reserved matters stage.</p>

<p>We are disappointed to see that the hedgerow to the western boundary of the site is immediately adjacent to plot boundaries, with no buffer zone. In our pre-application comments we recommended that a buffer zone be incorporated between the gardens and the hedgerow, to provide a wildlife corridor and to connect to the swale at the south of the site. Section 4.11 of the ecology report also recommends a buffer zone be incorporated in this area. We would therefore request that the layouts of plots 1 to 14 are reconsidered to allow for a buffer in this area.</p> <p>We note that this is an outline application. Should a period of more than two years between the date of the ecological survey and the start of the development elapse, a further, updated ecology survey may be required in support of the reserved matters application.</p>	
<p>Developer Contributions: s106</p> <p>Waste - The Civic Amenity contribution is outlined in the Statement of Requirements for Developer Contributions in Leicestershire. 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. 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 £4,464 (to the nearest pound). The contribution is required in light of the proposed development and was determined by assessing which Civic Amenity Site the residents of the new development are likely to use and the likely demand and pressure a development of this scale and size will have on the existing local Civic Amenity facilities. The increased need would not exist but for the proposed development. The nearest Civic Amenity Site to the proposed development is located at Melton Mowbray and residents of the proposed development are likely to use this site.</p> <p>The developer contribution would be used to make improvements and to increase the capacity of the Civic Amenity Site at Melton Mowbray by for example the purchase and installation of additional compaction equipment and/or containers/storage areas to deal with the likely increased usage due to the proposed development. The existing Civic Amenity Site serves a large number of households, the level of the amount reflects the proportional impact of the contribution. The contribution would be used for the specific project to provide the</p>	<p>It is considered that the request is CIL Reg. 122 complaint and necessary to mitigate the impacts from the proposed development. CIL 123(3) does not allow 'pooling' of more than 5 contributions for each project since April 2010. The request specifies a specific project that the money will be spent on and it is understood that there have not been more than 5 contributions sought for the waste project identified in this request.</p> <p>Therefore at the present time it is considered that the request for a waste contribution is compliant with CIL regulations.</p>

Melton Civic Amenity site with suitable covering by means of a canopy area to provide additional capacity for recycled/reusable items which require to be kept covered and protected from the elements and which would have an operational use – this potential obligation is the only one for this particular project.

Library - The proposed development on Leicester Rd, Melton Mowbray is within 1.5km of Melton Mowbray Library on Wilton Rd being the nearest local library facility which would serve the development site. The library facilities contribution would be **£1630** (rounded up to the nearest £10). It will impact on local library services in respect of additional pressures on the availability of local library facilities. The library contribution is for ICT provision and is allocated to project Melton Library under library project number MEL003 to provide library ICT computer provision.

The CIL regulations advise that no more than five signed obligations can be pooled for the same project. In this case there would only be two obligations for the ICT provision under project MEL003.

Education - £0 contribution is sought. There is currently surplus capacity for this area. An education contribution will therefore not be requested

Highways

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).
- Travel Packs; to inform new employees from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).
- 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £350.00 per pass)
- 6 month bus pass, one per employee (application form to be included in Travel Packs and funded by the developer); to encourage employees to use bus services, to establish changes

It is considered that the request is CIL Reg. 122 complaint and necessary to mitigate the impacts from the proposed development. CIL 123(3) does not allow 'pooling' of more than 5 contributions for each project since April 2010. The request specifies a specific project that the money will be spent on and it is understood that there have not been more than 5 contributions sought for the library project identified in this request.

Therefore at the present time it is considered that the request for a waste contribution is compliant with CIL regulations.

The developer agrees to the contribution sought by the Highways Authority in order to mitigate the transport impacts, as a result of the development

It is considered that the request is CIL Compliant and relevant to the development and necessary to ensure the impacts of the development upon sustainable transport objectives remain satisfactory.

in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car (can be supplied through LCC at (average) £350.00 per pass)

- New/Improvements to 3 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.
Information display cases at 3 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120.00 per display.

Police Contributions

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.

The proposed development will introduce a new overnight population of 126 people to this settlement. It is a fact that 54 additional units will bring additional Policing demands and particularly as there is no 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 sub region.

Police expect to procure these additional facilities once development has commenced. The contributions will be spent as individual amounts to expand the cover of our infrastructures to serve this specific development. Where individual contributions do not secure whole infrastructures Police will pay the remaining amount. These contributions relate to the direct policing of the site and locality and they are specific to this particular development.

As a further justification of our request, the Police confirm that the contribution will be used wholly to meet the direct impacts of this development and wholly in delivering Policing to it.

£19958 is sought to mitigate the additional impacts of this development because our existing infrastructures do not have the capacity to meet these and because, like other services, we do not have the funding ability to respond to growth proposed. The Police 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].

The Police have cited a number of appeal decisions which supports the capital requests as infrastructure projects and therefore compliant with CIL Reg. 122 as being necessary and relevant to the development. **It is considered that the contributions are CIL compliant and that the issue of ‘pooling’ is not relevant given the contributions seek to mitigate the impacts of the development which would not exist if it were not for the building of housing in this location, they are site specific requests and would not be pooled. The contributions are ‘stand alone’ and do not need to be joined with others (nor are they dependant on others in order to provide the infrastructure needed to deliver policing to the development).**

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 for 0.35 of the time of a staff member the contribution for their equipment should be **£2057** from this new development.

Vehicles to deliver Policing and meet community safety needs will be **£1283** Impact of the development without the contribution will be pressure to spread existing transport more thinly. Residents of the new development and their representatives will expect the same degree of cover as elsewhere in the locality and existing residents will expect existing cover to be maintained and not reduced as a result of the new development.

Radio Cover It is necessary to expand the capacity of our existing system to cater for additional calls as a result of the development. The development will increase the use of our radio system which is maintained at existing capacity by investing in additional servers, system refinement signal strengthening and improved transmission technologies. The additional cost of the additional capacity in relation to houses in this development will be **£100**

Policing Data Bases Capacity It is necessary to expand the capacity of our existing system to cater for additional hits as a result of the development. This will need to be increased to serve the additional Policing needs of the new development. Over 5 years the development should contribute **£65**

Control Room telephony Police control room call handling equipment is used to capacity at peak times. Our call handling centre at Force HQ Enderby directs all calls and deploys resources to respond and continue monitoring The development should contribute **£229** towards the additional equipment needed to answer the additional calls it will generate. Police preference is to use this money when the existing telephony is extended and renewed at 2018 however this does not prevent procurement of additional capacity in the meantime as a result of the impact of this development

ANPR CCTV deployment Police are deploying fixed ANPR cameras on the main road network and close to or in settlements. These cameras are server linked to identify number plates of vehicles in use for crime. This type of camera offers particular benefits to the immediate surrounding area especially where vehicle related crime is present The development will be served by a main road

linking settlements and is highly accessible and this is a factor in local crime patterns. Bearing this in mind a part contribution towards an additional ANPR camera is sought at **£2055** near the entrance of the site and Leicester Road.

Mobile CCTV Deployment Units are acquired as funding, including s106, permits however our financially constrained programme makes no provision for cover of additional areas of development A new camera is sought again with each development making a part and proportionate contribution. **£375** is sought from this development.

Additional Premises

For this part of Melton District neighbourhood and emergency response Policing is delivered from the district LPU in the town, command unit functions from Loughborough and essential support functions primarily from Force HQ Enderby. 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 [14] x number of staff generated by the development [0.35] x Build and land/lost opportunity cost [£2794pm²] giving a total of **£13690** from this development. The latter is the build cost in use by Force Estates and has been externally verified by tendering.

This will be spent to adapt or extend Police premises which will serve the developed site

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.

In relation to the Loughborough premises replacement is completed however this will need to be extended to accommodate additional development the subject of the application. As part of this the proposed development will generate additional calls and the need for additional responses. The remainder of the premises contribution will be spent at Force HQ Enderby.

Hub Equipment These new developments will increase the demand for local accessibility to Policing. Police are delivering hubs to existing communities and have a model for these. We do not pay for host premises but do need to provide secured work stations for beat officers to support local residents. The developer is asked to contribute **£1 per new dwelling** towards additional equipment to serve the locality. In association with the hub Police expect to meet the demand for additional local crime initiatives as a result of new development. Police have restricted funds to deliver such initiatives to existing development to pay for

<p>equipment eg Smartwater kits[fluid, sprays, detectors] or signage for local occupiers to use. Each initiative budgets for capital expenditure of £4,000 with the developer again asked to contribute £1 per new unit.</p> <p><u>NHS England –</u> The development is proposing up to 54 dwellings which, when based on the average occupancy of a dwelling of 2.4 would result in an increased patient population of approx. 130. A contribution of £21,486.89 is therefore sought based on the cost of providing an extension for 130 patients.</p> <p>The proposed site is within the practice boundary of the Latham House GP practice in Melton Mowbray. This is the only GP practice within Melton Mowbray and therefore is likely to attract the new patients from the proposed development. The GP practice at Melton Mowbray has identified that patient growth will necessitate an expansion of their facilities if the practice is to maintain access to services. The practice has capacity on their site to extend the healthcare facility further. The contribution requested for this housing development would contribute towards the overall expansion of the surgery. The amount requested is proportionate to the scale of the housing development proposed.</p> <p><u>MBC Leisure Provision -</u> Contribution to new sports pavilion in Country Park. Costing to be agreed based on proportion of £250,000 project.</p> <p><u>Grounds Maintenance –</u> Subject to confirmation from applicant on how they wish to deal with the maintenance of both the open spaces and SUDs within the development a request for a contribution for maintenance of open spaces within the development and the SUDs.</p>	<p>The development would have an impact upon the provision of healthcare in the town. The contribution which is requested is considered to be proportionate to the scale of housing and specifically relates to physical works to increase capacity at the local GP practice.</p> <p>CIL 123(3) does not allow ‘pooling’ of more than 5 contributions for each project since April 2010. To date there have not been more than five signed S106 agreements since 2010 seeking contributions towards the expansion of the surgery and therefore at the present time it is considered that this request is compliant with CIL reg 123(3) and as such are appropriate matters for an agreement.</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>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><u>Environmental Health –</u></p> <p>Noise</p> <p>The dataset was insufficiently robust due to short monitoring periods. ‘Shortened measurement procedure’ under the Calculation of Road Traffic Noise is not appropriate in this instance. A timebase of 18-hours (as per the CRTN) or 16-hours (as per BS8233/WHO-Guidance on Community Noise) would provide a suitably robust dataset. The EH Officer has since confirmed that the revised monitoring periods are now acceptable.</p>	<p>An updated noise assessment has been carried out in an attempt to address the concerns of the Environmental Health Officer.</p> <p>The suitability of the noise climate at the site for residential development has been assessed. The assessment has been undertaken in accordance with the National Planning Policy Framework (NPPF) and the Noise Policy Statement for</p>

<p>Internal areas BS8233/WHO average noise levels within proposed properties adjacent the A607 and railway line can only be achieved with enhanced glazing where windows are kept shut. In order to maintain thermal comfort within the dwelling, a ducted ventilation system would be required.</p> <p>If an acceptable noise situation can only be achieved with the windows closed, suitable means of thermal ventilation must be provided. I do not believe that passive window ventilation would be sufficient during summer.</p> <p>The updated noise assessment advocates the use of fan driven/wall mounted or ducted ventilation to provide sufficient thermal comfort due to the necessity for windows/doors to be kept closed. Windows may still need to be opened from time to time for the purposes of rapid ventilation; although not ideal, the provision of ducted ventilation will afford the best residential protection in these circumstances.</p> <p>Despite enhanced glazing and a ducted ventilation system, noise from individual train events will be clearly audible within dwellings adjacent to the northern boundary of the site. During ‘night time’ hours of between 23:00 – 07:00 it is likely that maximum noise levels (LAmax) will exceed World Health Organisation noise limits within bedrooms.</p> <p>At a meeting with the developer it was confirmed that 45 db (LA max) is desirable in bedrooms and this would be investigated further.</p> <p>The updated noise assessment appears to make no mention of this point. The facades of proposed dwellings adjacent to the northern boundary will be located approximately 30m from the railway line. Although the ‘average’ noise levels at monitoring location 2 are 56.7/52.0 dB for day/night respectively, this does not accurately reflect the impact of the railway. Train movements are high energy, short duration in nature and best assessed using LAmax or SEL indices. The LAmax values at monitoring location 2 are in excess of 80 dB during train movements. Despite enhanced acoustic protection, noise from train movements will be clearly audible in the external areas and within the dwellings, including the bedrooms. Because train movements occur during night time hours, noise from the train movements could cause sleep disturbance.</p> <p>Chapter 3.9 and 3.10 from the updated report detail the position of the BS 8233: 2014 in relation to LAmax criteria. It does not stipulate any criteria for maximum noise levels within rooms in terms of dB</p>	<p>England (NPSE). Noise assessment and design targets for internal and external noise levels recommended in BS8233 have been used to quantify noise impact and determine suitability for residential development with due regard to effects on health and quality of life as set out in the NPSE.</p> <p>The assessment has included measurements of the prevailing ambient noise levels at the site during daytime and night-time over an extended period. Noise from local and distant transportation noise sources, primarily road and rail traffic, was found to be the prominent noise source impacting upon the site during the day and night.</p> <p>The northern and southern boundaries are most exposed to noise from rail and road traffic respectively, and any dwellings immediately facing these noise sources will require enhanced sound insulation measures to protect habitable rooms on the exposed facades. This includes the use of driven/wall mounted or ducted ventilation to provide sufficient thermal comfort due to the necessity for windows/doors to be kept closed. It is also possible for the dwellings in close proximity to the road or railway line, to be orientated or designed as much as possible such that only windows serving non-habitable rooms face directly towards the road or rail traffic. Although not an ideal situation this will afford the best residential protection in the circumstances.</p> <p>Properties further within the site will experience lower ambient noise levels and benefit from additional acoustic screening provided by the other surrounding houses. Therefore, these dwellings will not require high specification sound insulation measures, depending on the final site layout.</p> <p>It is considered that the dwellings can incorporate suitable sound insulation to satisfy the requirements of BS8233. The precise design requirements will depend on the external noise level experienced at each property and a specification of sound insulation measures can be conditioned to be defined once the site layout and dwelling designs are confirmed.</p> <p>The NPPF para 123 (relevant extract) states that:- Planning policies and decisions should aim to:</p> <ul style="list-style-type: none"> ● avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; ● mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
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<p>L_{Amax}, but does state that:</p> <p><i>“Regular individual noise events (for example, scheduled aircraft or passing trains) can cause sleep disturbance. A guideline value may be set in terms of SEL or L_{Amax,F}, depending on the character and number of events per night. Sporadic noise events could require separate values.”</i></p> <p>For reference, the previous BS8233:1999 document recommended that, for a reasonable standard in bedrooms at night, individual noise events should not normally exceed 45 dB L_AF_{max}. Environmental Health advise that an L_{Amax} criterion should apply and this development, in its current form, would not comply with this standard.</p> <p>External areas</p> <p>Noise levels in the external amenity areas of some of the gardens of the proposed properties will equal and at times exceed the BS8233/WHO upper noise limit.</p> <p>At a meeting with the developer it was agreed that 2 gardens are specifically affected. In these locations the height of the barrier could be increased from 1.8m to 2.3 m.</p> <p>The updated noise assessment now advocates the use of heightened acoustic fencing for the most exposed properties. This provision should bring the external areas of those properties within the BS 8233/WHO upper noise limit. The desirable limit of 50 dB within the same guidance is still unlikely to be achieved for some properties adjacent to the A607.</p>	<p>This is expanded upon in the Explanatory Note to the Noise Policy Statement for England (Department for the Environment, Food and Rural Affairs) which states that</p> <p><i>‘It is recognised that noise exposure can cause annoyance and sleep disturbance both of which impact on quality of life. It is also agreed by many experts that annoyance and sleep disturbance can give rise to adverse health effects. The distinction that has been made between “quality of life” effects and “health” effects recognises that there is emerging evidence that long term exposure to some types of transport noise can additionally cause an increased risk of direct health effects.’</i></p> <p>The Committee is asked to take a view on this proposal on the basis of the comments raised by Environmental Health and the guidance contained in the NPPF. The applicants consider that 45 db (L_A max) is achievable and conditions can be imposed at outline to ensure that this is investigated further at Reserved matters stage if considered acceptable. However, Environmental Health consider that achievement of 45 db (L_A max) has not yet been demonstrated, and the only option would be to condition that suitable mitigation measures are submitted for approval to make the situation for residents as acceptable as possible in the circumstances.</p> <p>In the south-west corner of the site near the A607, daytime noise levels are around 66dB L_Aeq at the approximate location of the most exposed gardens and therefore an additional 11dB attenuation in noise level is needed to meet the BS8233 55dB L_Aeq criterion. Indicative calculations show that an acoustic barrier fence enclosing the exposed gardens to a minimum height of 1.8m could provide around 8dB(A) noise attenuation to the nearest gardens, and, in conjunction with the reduced angle of view to traffic due to the intervening house, a total attenuation of 11dB(A) is achieved. Gardens to Plots 1 and 39 are the most exposed to A607 traffic noise, and these plots should be provided with a 2.3m high barrier fence in order to increase the magnitude of noise attenuation that is achieved. The above measures are expected to result in noise levels in gardens of around 55dB L_Aeq or less.</p> <p>Where gardens are at further distance and situated behind houses, and so fully screened from the road or railway, it is not anticipated that acoustic fencing is required, and standard 1.8m close-boarded timber fencing will provide sufficient acoustic performance.</p>
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<p>Odour</p> <p>The proposed development is situated approximately 180m south of the STW Sysonby Grange sewage works. Environmental Health has received a number of complaints from residents affected by odour from this facility; therefore an odour assessment is required. The assessment should have regard to the DEFRA Code of Practice on Odour Nuisance from Sewage Treatment Works.</p> <p>An odour report has subsequently been submitted and having reviewed it the Environmental Health officer has the following comments:-</p> <p>The Council does not have access to the AERMOD model or the research quantifying the odour emission rates from the various plant associated with the waste water treatment works. Therefore only a cursory appraisal can be undertaken and the results in table 11 must be taken on face value.</p> <p>Nevertheless Environmental Health has two points of note:</p> <ol style="list-style-type: none"> 1. Of all the receptors, the receptor R6 – the existing development on Sysonby Grange Lane, subject to on-going odour complaints, was assessed to have the least odour impact of all the six receptors. Indeed the five year C98, 1-hr average at receptors R1 & R2 – the proposed development, were calculated at 0.96 & 1.07 ouE/m³ respectively, approximately twice the value at Sysonby Grange Lane at 0.5 ouE/m³. <p>An odour concentration of 0.5 ouE/m³ is below the threshold of human detection in laboratory conditions and significantly below the threshold of detection in field conditions. Although odour levels may become perceptible, from time to time in atypical circumstances, we would not expect an average odour concentration of 0.5 ouE/m³ to generate complaints. It is a matter of fact that the Environmental Health department has received a number of complaints from residents of the Sysonby Grange Lane development; moreover, Officers of the Council have witnessed in person strong odour from the waste water treatment facility at that development. Whilst we do not criticise the integrity of the odour assessment, the results of the odour model are</p>	<p>Outline noise control measures have been recommended in order to meet appropriate noise level criteria for the proposed residential development and if appropriate conditions can be imposed to ensure noise levels within dwellings and gardens meet acceptable levels.</p> <p>The odour report submitted presents a detailed odour impact assessment (OIA) of the Melton Mowbray Wastewater Treatment Works (WwTW), particularly in relation to the potential for impact to occupiers (and amenity users) of the proposed development. The assessment has been completed using information provided by Severn Trent Water and information gathered during an accompanied site visit. This includes:</p> <ul style="list-style-type: none"> • a list of odour sources on the site; and • day to day operation of the site. <p>Emission rates for each of the sources have been estimated from published library data and Severn Trent Water has been consulted on these desktop rates.</p> <p>The report shows the extent of the odour constraints associated with the WwTW. These indicate that the existing odour from the site, dominated by emissions from the open sludge tanks, will not encroach on the development site, based on the emission rates applied in the assessment.</p> <p>The data states that the predominant wind direction is from the south west with infrequent wind from the south east. This is as would be expected given the prevailing winds of the UK. This means that the proportion of wind blowing odour towards the development site is very low.</p> <p>The report concludes that odour from the works is likely to be perceptible on occasion, particularly in the event of process difficulties on site. However the impacts are well below even the most precautionary exposure concentration limit and therefore must be considered to be within acceptable limits.</p> <p>Environmental Health have reviewed this report and whilst the calculations are accepted it is a matter of fact that Environmental Health have received a number of complaints from residents of the Sysonby Grange Lane development and have witnessed in person strong odour from the waste water treatment facility at that development. The results of the odour model are therefore inconsistent with existing observations.</p> <p>The revised report examines in greater detail the sources of odour and its impact on the site. It has given rise to similar results but the</p>
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<p>inconsistent with our real world observations.</p> <p>On that basis we can only conclude that residents of the proposed development will experience significantly adverse odour concentrations. Indeed, should the relationship between receptors in the model hold true, residents of the proposed development could experience odour concentrations in excess of those currently experienced by residents at Sysonby Grange Lane.</p> <p>2. No assessment of odour from Melton Foods has been undertaken. Melton Foods undertakes an odorous manufacturing process and is located SW and upwind of the proposed development.</p> <p>A revised odour assessment was carried out under supervision of the Environmental Health team. This concluded that the IAQM screening tool rating the ‘slight’ adverse but it is advised that the characteristics of the odours are in fact ‘moderate’. However, this point is of limited importance because it established the trigger point at which a full assessment, which was undertaken nevertheless.</p> <p>The full assessment involved taking samples from the odour sources in the area and calculating the the dispersal distances involved, including prevailing wind conditions etc. The results showed that even at the higher emission rate, odour concentrations at Sysonby Grange are still well below the 1.5 odour unit contour (acceptable limits): that odour this might be faintly observable from time to time, but generally, odour would be undetectable and would be unlikely to generate complaints.</p> <p>However this is a cause for concern because we do receive complaints.</p> <p>Vibration Agree with the findings of the vibration report. Vibration should not adversely impact on the residents of the proposed development.</p> <p>Contamination The contents of the updated contamination report and the phase 1/2 investigative work and conceptual model are all satisfactory.</p> <p>No remediation work is necessary in respect of contamination; however, due to the presence of elevated levels of ground gas, mitigation measures are required and therefore suggest conditions be imposed.</p> <p>Conclusion The proposed development is sandwiched between</p>	<p>concerns of Environmental Health remain due to the pre-existence of complaints.</p> <p>The existing complaints are being pursued and there is incremental progress towards their improvement. This will ultimately reduce them to a stage they are no longer objectionable (or remove them altogether) and in the process the application site will also benefit, but to a greater extent as it is advantaged by the prevailing wind direction.</p> <p>Therefore the Committee is advised that whilst there are concerns, there is no evidence available to demonstrate it would be unacceptable and as such should not form a reason for refusal.</p> <p>Noted.</p> <p>Noted.</p> <p>It is considered that the location of the site is</p>
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<p>the A607 and the Melton to Leicester/Loughborough main line. Further more is it situated in close proximity to the Sysonby Severn Trent facility and Melton Foods. Despite acoustic mitigation, potential residents will experience elevated noise levels from train movements. Modelled odour concentrations are inconsistent with Officer observations and could exceed those currently experienced by existing residents. Environmental Health considers the proposed development to be unacceptable in public health terms.</p>	<p>presented with several constraints in terms of proximity to the A607 and Railway line. However it is possible to use enhanced sound insulation measures to protect habitable rooms on the exposed facades such as driven/wall mounted or ducted ventilation to provide sufficient thermal comfort due to the necessity for windows/doors to be kept closed. It is also possible for the dwellings in close proximity to the road or railway line, to be orientated or designed as much as possible such that only windows serving non-habitable rooms face directly towards the road or rail traffic. Although not an ideal situation this will afford the best residential protection in the circumstances.</p>
<p>Melton Mowbray and District Civic Society</p> <p>The Society does not object to this application but is concerned about the proposed access to the site from the very busy Leicester Road. Access to the site at its eastern end adjacent to the proposed office buildings via the roundabout from Leicester Road would appear to be safer and more logical.</p> <p>The site is “made ground” parts of which would, according to NHBC guidelines “...not normally be acceptable for residential housing without further Ground Gas Risk Assessment and/or possible remedial mitigation measures to reduce/remove the source of the ground gases. In certain circumstances, active protection methods could be applied, but only when there is a legal agreement assuming the management and maintenance of the system for the life of the property”. If permission for residential development is given stringent requirements to mitigate any potential problems from gas or long term ground instability must be imposed.</p> <p>Although the Environment Agency Flood Risk map for the site suggests that flooding should not be a problem flood risk areas are very close to the site.</p> <p>The inclusion of office space may increase the number of local jobs.</p>	<p>The access has been considered by the Highway Authority and they have no objection to the proposal on the grounds of Highway safety.</p> <p>The necessary contaminated land surveys have been carried out and Environmental Health have no objections to the findings.</p> <p>The site of the proposed housing and office development is located in Flood Zone 1 and the Environment Agency have no objection to the proposal.</p> <p>Noted.</p>

Representations:

Site notices were posted and neighbouring properties consulted. As a result **1 letter has been received.** The representation is detailed below.

Representations	Assessment of Head of Regulatory Services
Melton Mowbray Town Bowls Club - support the Application as presented.	Noted

Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
Impact upon Residential Amenity	<p>The application is in outline with only the access seeking approval at this stage. An illustrative plan has been provided which shows how the proposal could be laid out.</p> <p>The neighbouring uses are predominantly employment and community uses. Immediately to the west of the site is Mill House formerly a garden nursery and a parcel of agricultural land which currently has outline planning permission for 50 new dwellings (ref:12/00717/OUT). The site is screened by the mature landscaping and is sufficiently set apart so that the proposal will not have detrimental impact upon residential amenities.</p> <p>To the south east is the start of a residential estate. The proposed office units in this corner of the site will be for office use only with no heavy industrial uses permitted and therefore should not adversely affect the residential amenities of these properties.</p> <p>It is considered that the proposed buildings will not have a detrimental impact upon neighbouring properties and is compliant with the local plan policies OS1 and BE1.</p>
Impact on Character and Appearance of the Area	<p>The site sits to the west of the town adjacent to other employment and residential uses, whilst opposite the site is agricultural land. There is no distinct style of building however Melton Mowbray Building Society offices are over three floors with the Baptist Church also being high.</p> <p>The site sits along a classified road through the town (A607) and therefore the office units and dwellings proposed on the frontage will be highly visible along this approach into Melton. This part of the town is semi rural in character given the openness of this part of the area. The illustrative layout proposes to create a strong building frontage to overlook the Leicester Road whilst also enabling the buildings to be set back from the highway. The dwellings and offices will be of varying footprints and spacing which should aide in assisting in retaining a sense of openness when travelling along the highway.</p> <p>It is considered that development of the proposal site will support the existing character of the area, adding to the gradual transition from rural to urban development along Leicester Road.</p>
Density, Layout and scale	<p>The proposal seeks outline permission for the erection of around 54 dwellings and 1,360m² office space, on a currently vacant site of 2.25ha gross area.</p> <p>The residential section of the proposal seeks to</p>

	<p>achieve a level of around 35 Dwellings per hectare. The Employment element will provide in the region of 12,700ft² (1,180m²) GIA of office space. A Public Open Space element of 1,670m² is to be provided to the northern boundary and is the subject of a separate application (14/00996/OUT also under consideration at this committee)</p> <p>The two use classes incorporated into the site layout will be separately defined by using different building styles and screen/ buffer planting. This is to ensure that each area has its own character which is appropriate to its use.</p> <p>The accompanying Design and Access Statement states that the scale of the proposed development is intended to complement the existing context. The closest residential development to the proposal site is to the east across the A607. This development is predominantly 2 storey semi-detached houses, although a few examples of single storey, detached and terraces are present in small quantities. The proposal will reflect this by providing a predominantly 2 storey development with a small number of single storey dwellings.</p> <p>The office provision is to be limited to 2 storey development to give a residential scale in order to prevent it having a domineering effect on the residential proposal.</p> <p>All matters relating to the design and appearance would require further approval in the form of the reserved matters application.</p> <p>From the sketch layout submitted it is considered that the overall approach to design and layout is good and the density appears suitable for the character and appearance of the area.</p>
<p>Provision of Affordable Housing</p>	<p>It is proposed that 40% of the proposed dwellings will be affordable in tenure, in compliance with the percentage and types as requested by the Local Authority. This will be secured by means of a S106 Agreement.</p>
<p>Planning Policies and compliance with the NPPF</p> <p>The application is required to be considered against the Local Plan and other material considerations.</p>	<p>The site is considered to be in a sustainable location with good access to local facilities and linkages to the wider range of facilities within the town, and in this respect performs well against the NPPF definition of ‘sustainable development’ from an accessibility point of view. The site is however ‘greenfield’ 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>

Application of Policy R1

The provision of up to 21 affordable units with the house types that meet the identified housing needs is considered to offer significant benefit that weighs in favour of allowing development in this location. The proposal due to its site characteristics is not considered to unduly adversely affect the countryside due to its siting adjacent the built up area of the village to the east.

It is considered that development in this location would assist in providing housing supply in a sustainable location and the harm identified by developing a greenfield site is outweighed by the benefits the proposal offers: Subject to the signing of a S106 securing the affordable homes and developer contributions.

The background to the site is that it was, and remains, allocated for recreation purposes in the Development Plan under Policy R1. The Site has never been used for any recreation purposes and is in private ownership with no public rights of way across it.

In 2007 and upon ‘renewal’ in 2011 the Planning Committee were persuaded to depart from the Plan and grant planning permission on the site for B1 Office developments largely due to attractiveness of the proposition of employment uses, however, these proposals have never been implemented.

As such the Borough Council in reaching previous decisions regarding the recreation status of the Site has concluded that its recreation status under ‘saved’ Policy R1 did not constitute an overriding reason to prevent the land being developed for other purposes.

This application proposes a mixed use scheme with a mixture of residential and employment uses and therefore the ‘planning balance’ is slightly different as there is a significantly reduced employment component in the scheme currently being proposed. However, having regard to the guidance in the NPPF given that the Site remains vacant and underused land within the urban area it does not represent, through its redevelopment for mixed-use development, the loss of a valued local facility meeting the day to day needs of the community.

As stated above, the development is considered to accord with the applicable Local Plan policies. In this instance, the policies are considered to be complemented by the NPPF and should not be set aside because of it. In terms of its promotion of economic growth, the

	<p>NPPF advises that “significant weight” should be assigned and as such it is considered to weigh substantially in favour of the proposal.</p>
<p>Employment Opportunities</p>	<p>Planning permission has previously been granted for a B1 business park with 11 units of various sizes. However, the applicant has commissioned an employment report which states that it is not possible to implement this permission for the following reasons:-</p> <ul style="list-style-type: none"> • The size of the site and the scale of the approved office development is incompatible with current, and likely future, market demand for office space in Melton. • The development is unviable because the high cost of new office construction is greater than the investment value of new buildings, when supported by lettings on flexible terms and at competitive low rental levels. • New large scale development is not possible as there are no funding provisions from the major banks for speculative development schemes. • The competing PERA site at Nottingham Road is likely to absorb any current and future demand for office space in Melton Mowbray. <p>The scheme now under consideration proposes only part of the site to be earmarked for office building which can meet owner-occupier demand for small unit office space. The plan to provide two office ‘pods’ with a total of 1360 sqm of space will enable suites to be broken down into smaller areas for sale, on either freehold or long leasehold terms.</p> <p>Naturally it is disappointing that the intentions for the Business Park development on the site are unlikely to come forward. However, it is considered that in these circumstances it is preferable to investigate other forms of development rather than to leave the site unproductive.</p> <p>The proposal seeks to improve the employment opportunities for the town and it is considered that the proposal is in accordance with the local plan policies OS1 and BE1.</p> <p>In terms of its promotion of economic growth, the NPPF advises that “significant weight” should be assigned and as such it is considered to weigh substantially in favour of the proposal.</p>

Conclusion

The application seeks outline consent for a residential development of approximately 54 dwellings. Approval is sought for the access into the site and the principles of a mixed residential and office development. It is considered that the application presents a balance of competing objectives and the Committee is invited to reconcile these in reaching its conclusion.

The Borough is deficient in terms of housing land supply more generally and this would be partly addressed by the application, in a location that is considered to perform very well in terms of sustainability; access to services and facilities and with good transport links.

Affordable housing provision remains one of the Council's key priorities. This application presents affordable housing that helps to meet identified local needs. Accordingly, the application presents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the local market housing needs. Melton Mowbray is considered to be a location with strong sustainability 'credentials', suitable for housing growth and adequate access and parking provisions can be provided and maintained to the satisfaction of the Highways Authority. It is considered that these facts are a material consideration **of significant weight in favour** of the application.

The Office development will also support the Boroughs' economy and provide office space to allow flexibility for the end user; providing different size units to accommodate start up business or those wishing to expand.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a greenfield site– is considered to be of limited harm in this location due to the site characteristics and the limited importance assigned by policy in the NPPF. The issue of acceptability in public health terms with regards to potential noise and odour impacts is also a balancing negative that needs to be taken into consideration.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits. Accordingly it is considered that permission should be granted.

Recommendation: PERMIT, subject to:-

- (a) The completion of an agreement under s 106 for the quantities set out in the above report to secure:**
- (i) Contribution to travel packs
 - (ii) Bus passes and new/improved bus stops
 - (iii) The provision of affordable housing, including the quantity, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs
 - (iv) Contribution towards policing infrastructure
 - (v) Contribution to medical facilities within Melton Mowbray
 - (vi) Off-site open space
 - (vii) Construction of office units as a phase of the overall scheme
- (b) The following conditions:**
1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin no later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
 2. No development shall commence on the site until approval of the details of the "layout, scale, external appearance of the buildings and the landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
 3. The reserved matters as required by condition 2 above, shall provide for a type and size of dwellings that will meet the area's local market housing need .
 4. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the

Local Planning Authority. Development shall be carried out in accordance with the approved details.

5. 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.
6. Development shall not begin until all trees and hedgerows to be retained have been securely fenced off in accordance with details first submitted to and approved in writing by the local planning authority. There shall be no alteration to ground levels, no compaction of soil and no storing of materials within those fenced areas. Any service trenches within the fenced areas shall be dug and backfilled by hand and any root with a diameter greater than 50mm shall be left unsevered
7. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.
8. The final layout of the proposal shall incorporate a buffer zone between the gardens and the hedgerow to the western boundary of the site, to provide a wildlife corridor and to connect to the swale at the south of the site.
9. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. As part of the above, Severn Trent Water Limited should be consulted and required to demonstrate that there is sufficient capacity in the sewerage network and/or at the sewage treatment works to take the additional flows from the proposed development without causing pollution and/or a deterioration in final effluent quality.
10. The development permitted by this planning permission shall be carried out in accordance with the information provided on 16th June 2015 and the following mitigation measures detailed provided:
The pumping station must have a secondary pump in case the primary pump fails, further to this there must also be the provision of a backup generator in case of power failure.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority

11. If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected across the proposed vehicular access from Leicester Road, they shall be set back a minimum distance of 25 metres behind the highway boundary and shall be hung so as not to open outwards.
12. All details of the proposed development shall comply with the design standards of the Leicestershire County Council as contained in its current design standards document. Such details must include parking and turning facilities, access widths, gradients, surfacing, signing and lining (including that for cycleways and shared use footway/cycleway) and visibility splays and be submitted for approval by the local Planning Authority in consultation with the Highway Authority before development commences.

Note: Your attention is drawn to the requirement contained in the Highway Authority's current design guide to provide Traffic Calming measures within the new development.

13. Whilst the proposed location of the site access from Leicester Road is considered acceptable, all details of the design of the access, including its width, radii, visibility splays etc should be designed in accordance with Local Highway Authority standards, and shall be submitted to and approved by the Local Planning Authority in consultation with the H.A. before development commences.
14. 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

15. 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
16. No dwelling shall be occupied on the site, until such time as a footway/cycleway link has been provided from the site on to Bowling Green, as shown generally on the attached plan. The link shall be designed and constructed to Local Highway Authority standards, the details of which shall first have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority before development commences.
17. The proposed offices shall not be brought into use, until such time as the vehicular access and parking facilities serving the units have been provided, fully in accordance with details that shall first have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. Once provide the access and parking facilities shall thereafter be permanently so maintained in accordance with the approved details.
18. The proposed development shall include provision for amenity open space in accordance with the standards set out in the adopted Melton Local Plan. The space shall be provided prior to any of the dwellings being first occupied and shall be maintained in perpetuity for its designated use.
19. Prior to commencement of development, a scheme for the provision of training and employment opportunities in the surrounding area shall be submitted to and approved by the Local Planning Authority. The scheme shall subsequently be operated at all times that the development is operational.
20. In respect of ground gas, all residential dwellings shall be built to NHBC Amber 2 specification as per GeoDyne – Supplementary Phase II Exploratory and Ground Gas Risk Assessment 34089. In respect of ground gas, all commercial buildings shall be built to CIRIA C665 CS2 specifications as per GeoDyne – Supplementary Phase II Exploratory and Ground Gas Risk Assessment 34089.
21. A validation report detailing the gas protection steps taken must be submitted and approved by the local planning authority before the development is first brought into use. The validation report should include photographic evidence of correct installation.
22. In the event that it is proposed to import soil onto site in connection with the development the proposed soil shall be sampled at source such that a representative sample is obtained and analysed in a laboratory that is accredited under the MCERTS Chemical testing of Soil Scheme or another approved scheme the results of which shall be submitted to the Local Planning Authority for consideration. Only the soil approved in writing by the Local Planning Authority shall be used on site.
23. If, during the development, any contamination is identified that has not been considered previously, other than to make the area safe or prevent environmental harm, no further work shall be carried out in the contaminated area until additional remediation proposals for this material have been submitted to the Local Planning Authority for written approval (this would normally involve an investigation and an appropriate level of risk assessment). Any approved proposals shall thereafter form part of the Remediation Method Statement.
24. Details submitted under condition 2 above shall include measures to ensure that internal noise levels of all dwellings shall not exceed:
 - 45 dB LAFmax During ‘night time’ hours of between 23:00 – 07:00 within bedrooms and;
 - Noise levels in the external amenity areas of the gardens of the proposed properties shall not exceed the BS8233 upper noise limit of 55dB L Aeq.The measures proposed shall include calculations to demonstrate achievement of these levels and the development shall be carried in accordance with the approved details.

The reasons for the conditions are:-

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To ensure that the housing needs of the borough are met.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.
5. To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features.
6. To ensure that existing trees are adequately protected during construction in the interests of the visual amenities of the area.
7. To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public and nature conservation
8. In the interest of ecology and to provide net biodiversity gains in accordance with NPPF para. 109
9. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
10. To ensure that the development will remain free of flooding during a flood event and not pose an unnecessary risk to the users of this development.
11. To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic, including pedestrians, in the public highway.
12. To ensure a satisfactory form of development and in the interests of highway safety
13. In the interests of highway safety
14. To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard to road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.
15. To ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.
16. In the interests of encouraging sustainable travel to and from the site.
17. In the interests of highway safety.
18. To comply with local plan policy H10 and ensure the right level of provision is provided.
19. To ensure the satisfactory provision of training and employment.
20. To safeguard future occupiers from any contamination on site.
21. To safeguard future occupiers from any contamination on site.
22. To safeguard future occupiers from any contamination on site.
23. To safeguard future occupiers from any contamination on site.

(c) Delegate to refuse within three months if the terms of the a S106 as set out above are not secured, for the following reason:-

- 1: In the opinion of the Local Planning Authority the development would be unsustainable having unacceptable impacts without suitable and appropriate mitigation for local services and infrastructure. The proposal is considered to be contrary to the local plan policy OS3 and NPPF paragraphs 203 and 204.

Officer to contact: **Mrs K McMahon**

Date: 17 August 2015