

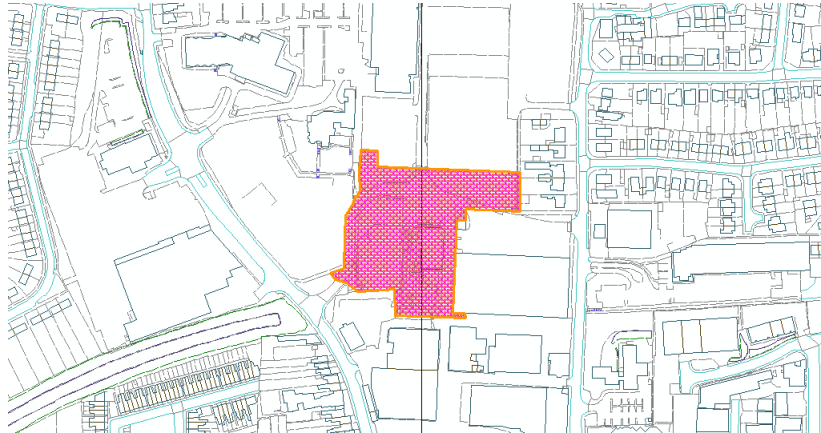
Reference: 15/00576/FUL

Date submitted: 27.07.15

Applicant: Melton Borough Council

Location: Cattle Market, Scalford Road, Melton Mowbray, LE13 1JY

Proposal: Alterations to Melton Mowbray Market to form new livestock building and associated facilities



Proposal :-

Full planning permission is sought at the existing Cattle Market, Scalford Road which sits within the Town envelope close to the town centre. The application proposes a livestock building, sale ring and open penning together with roadways and parking areas. Part of the application encompasses the site of a demolished slaughterhouse. The application site abuts a sheep building erected in the late 1990s.

The application will not increase the stock capacity on the site but seeks to upgrade the facilities to secure the long term sustainability of the market. It is not envisaged that there will be a significant increase in livestock vehicles. The application has been supported with a Traffic Assessment, Archaeology and Ecology Assessments.

It is considered that the main issues for consideration of the application are:-

- **Application of Development Policies and NPPF**
- **Impact upon Highways**
- **Impact upon Residential Amenities**

The application is presented to Committee as the application is a major development proposed by the Council.

Relevant History:

No relevant history for this part of the site.

Various applications have been approved for other parts of the facility for modifications of the buildings, including change of use of some buildings for the purpose of car boots, antique fairs, exhibition and dance hall.

Planning Policies:-**Melton Local Plan (saved policies):**

Policy OS1 - allows for development within the village envelope provided that the form, character and appearance of the settlement are not adversely affected, the form, size, scale, mass, materials and architectural detailing of the development is in keeping with the character of the locality; the development would not cause undue loss of residential privacy, outlook and amenities as enjoyed by occupants of existing dwellings in the vicinity.

Policy BE1 - Siting and design of buildings: Allows for new buildings subject to criteria including the design harmonising with the surroundings, no adverse impact on neighbouring properties by loss of privacy or outlook, adequate space around and between buildings being provided and adequate access and parking arrangements being made.

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 offers advice on the weight to be given to ‘emerging’ policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

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

- proactively support sustainable economic development to deliver business and industrial units,
- promoting sustainable transport
- Supporting a prosperous rural economy
- Effective use of brownfield land

On Specific issues relevant to this application it advises:**Building a strong competitive economy**

- Planning should encourage growth, not prevent it and should plan proactively to encourage economic growth

- The planning system does **everything it can** to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth.
- **Significant weight** should be given to the need to support economic growth

Sustainable Transport:

- Safe and suitable access to the site can be achieved for all people.
- Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

Prosperous Rural Economy

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both new buildings and conversions.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority: No Objection</p> <p>The Traffic Assessment Appendix I page 21 shows that non-livestock vehicle reassignment will cause +/- 24 trips in the peak hour through the main Nottingham Road and Scalford Road junctions, also 14 trips approaching gate 5 from the north. The Highways Authority therefore acknowledges that there is an impact on traffic as vehicles reassign to alternative routes to the market and car park; however as the market traffic peak does not directly correspond with the highway network peak and the livestock market and car boot sale do not operate every day, the Highways Authority is satisfied that the residual cumulative impact of the submitted proposals on the highway network would not be severe.</p> <p>Site Access</p> <p>The development is not proposing any new accesses. The main livestock entrance, gate 7 off Nottingham Road will be retained; however the general public will no longer be able to use this entrance. Gates 8 and 9 will remain closed off as they are now; gates 1, 2 and 3 will remain in use as presently for access to the market halls and car boot sale; gate 4 will remain closed except for emergency access; and gate 5 will become the main public car park entrance, but with occasional use as an overflow car park as required.</p> <p>Access drawings for gates 7 and 5 have not yet been approved; for example, visibility splays of 43 metres are indicated where 59 metres would be required to accommodate HGV's [TA section 4.12]; and dropped kerbs and tactile paving have not been drawn in accordance with the 6Cs Design Guidance, also the Highways Authority may require other minor improvements to improve traffic flow, for example 'keep clear' lining / signing to alleviate queuing on Nottingham Road. However, as the longer visibility</p>	<p>The application site relates to the existing livestock market in Melton town centre located to the north of Norman Way, east of Nottingham Road, and west of Scalford Road. The proposal seeks to improve the facilities and the experience at the Cattle Market. It proposes a 208 square metres net loss of building space however the proposed building is designed to be more efficient than the three buildings to be demolished, enabling greater efficiency of the site. Twenty car parking spaces will also be lost, however, given that there is no net increase in floor space this is not considered to have any severe impacts upon highway impacts.</p> <p>It is proposed that the existing main site entrance from Nottingham Road will be retained, but identified as being for use by livestock market vehicles only. This proposal is to assist with the separation of livestock related traffic from other traffic visiting the market site. However, it should be noted that the use of this access by auctioneers, drovers and other staff will be retained. Gate 5 (located off Scalford Road) is to remain in use and will provide access for non-livestock vehicles only. These non-livestock vehicles will then be directed to the parking area located at the northern end of the site. This car park, with an approximate capacity of 300 vehicles, will also be accessible from within the site (from the Nottingham Road access) and will act as an overspill parking area for livestock vehicles if required. This will provide flexibility in the operation of the parking provision within the site to meet any fluctuations in demand. Gate 5 off Scalford Road will also be retained as existing, however, it will be for use of</p>

<p>splays can be achieved, these and any other small changes can be finalised at detailed design s278 stage.</p> <p>Off-Site Implications As stated in Traffic Assessment (section 4.29) there is additional car parking availability on market days in the town centre and at Sainsbury’s and as mentioned in the Background section above the residual cumulative impact of +/- 24 trips through the main Nottingham Road and Scalford Road junctions is not considered to be severe enough for the Highways Authority to advise against approving the application; or to justify major highway mitigation measures.</p> <p>Internal Layout The applicant is aware that a public footpath crosses the site and that this will need to be either kept on its present course or re-routed under a Diversion Order. Traffic Assessment (section 2.46) states that cycle trips will be ‘encouraged’, however section 3.12 acknowledges that there is no secure cycle parking on-site; the Highways Authority will request by Condition that on-site secure cycle parking is provided.</p> <p>Transport Sustainability The market site is well located for public transport, and is close to the town centre so that pedestrian and cycling trips by customers or staff could be easily achieved. In addition and as mentioned above the applicant is proposing to re-route the public footpath that crosses the site. Traffic Assessment appendix B Proposed Layout Plan shows a revised public footpath route, full details of how the public footpath will be treated need to be submitted to and approved by the Local Planning Authority in consultation with the Highways Authority before commencement of development.</p> <p>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.</p> <p>Improvements to nearest bus stops:-</p> <p>1) Scalford Road, northbound:</p> <ul style="list-style-type: none"> a) Raised and dropped kerbs to allow level access; to support modern bus fleets with low floor capabilities. £3,263. b) Bus shelter; to provide high quality and 	<p>non-livestock vehicles only. The other accesses off Scalford Road, Gates 1, 2 and 3, will remain as existing.</p> <p>The Highways Authority has no objection to the proposal and it is considered that the impacts will not be severe and a refusal could not be substantiated in this instance.</p> <p>The contributions requested are considered appropriate and justified in the interest of encouraging sustainable travel and comply with CIL Reg. 122. The requests are relevant to the specific development which attracts visitors to the site and will assist in encouraging sustainable travel and use of public transport.</p> <p>Applying CIL Reg. 123(3) the contributions will not be pooled and will be spent to serve the development as requested by the Highways Authority. The requests are suitable for inclusion in a S106 agreement.</p>
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<p>attractive public transport facilities to encourage modal shift. £4,908.</p> <p>2) Scalford Road, southbound: a) New bus stop pole & flag; to formalise the present 'hail and ride' stop. £145.</p> <p>3) Scalford Road, northbound and Nottingham Road, southbound: 2 no. Real Time Information (RTI) displays. £9000 [£4,500 per display].</p>	
<p>Access and Rights of Way Officer:</p> <p>As noted on the site plan accompanying the application, a public footpath crosses the site. The route is not recorded on the Definitive Map of Public Rights of Way but it is set out, lit, signed and used as a public footpath and therefore the comments are based on treatment of the route as a Public Right of Way.</p> <p>The applicant proposes to close the existing route and to provide an alternative footpath which would run from Scalford Road to Nottingham Road on a line south of the existing sheep building and proposed new cattle building. I have no objection to the principle of moving the point of access to the footpath further south on Scalford Road as the location is equally convenient. LCC are however, concerned that moving the point of access to the footpath further south on Nottingham Road is less safe and convenient for the public than the existing route.</p> <p>Pedestrians would be further from the pedestrian crossing, further from the onward paths past the Sainsbury Store and along the disused railway and would have to cross the vehicle entrance to the market to reach the pedestrian crossing. Measures could be taken in the layout of the vehicle entrance to mitigate against the concerns and perhaps a route for the new footpath could be sought turning north around the Fire Station site?</p> <p>LCC are also concerned about the accessibility of the proposed new footpath. The existing route is open and available for public use and enjoyment at all times. Any alternative route should be provided on a like-for-like basis. If the area south of the new cattle building and existing sheep building is to be used for events and markets on a regular basis then this may interrupt use of the new footpath and thus not be an appropriate location for a public right of way.</p> <p>In light of the above comments it is requested that</p>	<p>Following the consultation response a plan showing a revised location has been submitted to address the points raised. The line of the footpath will run further to the north of the site outside the controlled area of the Cattle Market. The access and entrance points along Scalford Road and Nottingham Road remain in the same location.</p> <p>It has been requested that the new footpath is subject to a Diversion Order and will need to have a minimum width of 2 metres and any gates along the route must be in accordance with the Highway Standards. Overall the revised footpath is considered to be reflective of the existing arrangement and would provide the connectivity through the site, giving direct access to the controlled pedestrian crossing on Nottingham Road to link up with Public Right of Way E16A and will be available for use outside of the operating hours of the Cattle Market.</p>

conditions be placed on any approval for the site requiring the existing footpath to be diverted, until agreed the existing footpath should be made available at all times and the width of any new footpath shall be minimum of 2 metres wide.	
LCC Archaeology: No objection The application has been assessed against the known archaeological records, held in the Leicestershire and Rutland Historic Environment Record (HER), it is confirmed that the site contains no know remains of significance, and that development of the site for the existing market, with its hard-standing, services and foundations, will have substantially damaged any potential for remains to have survived.	Noted
MBC Environment Health: No objection	Noted There is no change of use involved on the site.
LCC Ecology: No Objection The ecology survey submitted in support of the application (Ecology Solutions Ltd, November (2014) identified no evidence of protected species within the application site area and the site was generally considered to have a low potential to support protected species. LCC therefore have no further survey requirements for this application but would recommend that the applicant includes some of the recommendations for ecological enhancement (section 7 of the report) within the design of the development.	Noted. Conditions can be imposed to ensure the mitigation proposed is incorporated into the design.

Representations:

A site notice and press notice was posted and neighbouring properties consulted. As a result one letter of correspondence has been received to date and summarised below.

Consideration	Assessment of Head of Regulatory Services
Melton Ramblers Currently the route of the public footpath is far more convenient than that of the proposed route. Where the present path meets Nottingham Road there is a pedestrian crossing across Nottingham Road where the proposed path will meet the road there is often queuing traffic making the road 3 lanes wide. The new route also joins Nottingham Road next to the fire station, when vehicles leaving the fire station in an emergency many cars have to make moves to make way for emergency vehicles. On the Eastern side of Nottingham Road there is a Public Right Of Way (PROW) shown on the definitive map as path E16A, the proposed route would be further from this footpath. There is also a planned footpath, associated to the building of the Sainsbury store, to Stirling Road. The proposed	Comments noted. Currently there is a path that links through the car parking areas from Scalford Road to Nottingham Road, whilst this is not a definitive Public Right of Way it is used as such. The proposal seeks to provide a permissive footpath which will still pass through the site. Please see commentary above (page 5)

route would be substantially less convenient for people transiting from Scalford Road to the Stirling Road area. How will pay to enter events manage a path through the centre of the market?	
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Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
Compliance (or otherwise) with Planning Policy	<p>The NPPF is a material consideration which postdates the local plan and is supportive of economic development. In terms of its promotion of economic growth, the NPPF requires that planning should do “everything it can” to encourage economic development and advises that “significant weight” should be assigned and as such it is considered to weigh substantially in favour of the proposal.</p> <p>The livestock building would be sited to west of the site, wholly within the confines of the cattle market. It is considered that the redevelopment of the site would not have an unduly detrimental impact upon the character of the area and due to separation distances will not have an adverse impact upon residential neighbours within the immediate vicinity. The proposal would be read as an extension to the existing cattle market and therefore it cannot be demonstrated that significant harm would arise should the proposal be allowed.</p> <p>The proposal has not generated an objection from the Highways Authority given that no additional commercial floor space will be created. The additional parking will ensure that parking remains available within the site and that no obstruction occurs within the highway.</p> <p>It is considered that the facilities the proposal will provide will be of assistance to the long term sustainability of the cattle market, an important asset to the Borough and this commands significant benefits.</p> <p>The proposal is considered to comply with the local plan policies OS1 and BE1 which are considered to be in compliance with the NPPF in protected the character of areas, respecting neighbouring residents with no server impacts upon highway matters.</p>
Impact upon the Character of the Area and Design	The building has been designed for its specific function and will occupy the site of the former abattoir which has been vacant for some time and an underused livestock building.

	<p>The proposed building will have a footprint of approximately 4318 square metres and will be attached to the existing sheep shed sited to the east of the proposed site. The building has been designed as four sections to break up the massing the heights will be similar to the existing sheep shed. The proposed building will have areas designated for calf and pigs, skirt pens, store cattle pens and large skirts and prime cattle pens. There will be store cattle loading pens to the north accessed from the west entrance from Nottingham Road.</p> <p>The building includes a concourse area centred around the sale ring. Within the concourse there are a number of small kiosks available for use by retailers, service providers and outreach organizations to supplement the range of services currently on offer in the adjoining sheep building. A view balcony has been incorporated on the upper floor above the concourse.</p> <p>The development aims to reconfigure the existing market site in order to :</p> <ul style="list-style-type: none"> a) rationalise the flow of traffic and people through the site, including separating livestock traffic from the public, to create safer and more efficient circulation patterns; b) enhance the facilities for handling livestock to improve animal welfare and the safety of users and operators; c) sustain the market into the future by making the facilities attractive to vendors and buyers by improving efficiency and range of facilities available; d) create room for beneficial development on the remainder of the site. <p>The Cattle Market is an historic feature for Melton and receives many visitors adding to the tourist economy for the town. The present cattle facilities are outdated and inefficiently laid out whilst also in need of repair. The proposed building would be read alongside the existing cattle market buildings, as it will be contained within the site. It is not considered that the building would have an adverse impact upon the character of the area.</p>
<p>Impact on neighbours</p>	<p>The application site is located on the western edge of the Market site and much of the immediate boundaries to the south, east and north will be adjoining existing market uses. The south western edge of the application site will adjoin a Fire Station and the eastern edge will adjoin a</p>

	<p>commercial facility on the Staveley Lodge site. (Pera).</p> <p>The proposed livestock building is to be sited to the west of the site which is furthest away from the residents along Scaford Road. Whilst there are residential dwellings along Nottingham road it is not considered that the development would have a detrimental impact on any neighbouring properties due to the separation distance.</p>
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Conclusion

The application seeks consent for a new livestock building and associated facilities to an existing economic business situated within the town. The new facility represents a significant investment providing a modern facility designed to meet the future needs of the farming community. The site will have ample parking and good links to the national and local transport system. The facility will also bring improvements to animal welfare with covered penning, reduced handling of stock and easy circulation routes reducing stress to animals, as well as improved bio-security. The new cattle building will be a focus point for the market that is designed to support the farming community, reinforcing Melton Mowbray's heritage as a market town and service centre for the rural community.

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) Sustainable transportation

(b) The following 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 AL(p)01, AL(p)03, AL(p)04h, AL(p)05a, AL(p)06a, AL(p)07c, AL(p)08d, AL(p)09b and AL(p)10b, received by the Authority on 20th July 2015.
3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
4. Prior to its first use the external surfaces of the development hereby permitted shall be painted and/or stained in accordance with a colour scheme to be first agreed in writing by the Local Planning Authority.
5. Before the development commences, details of the re-routing and surface treatment of the public footpath that crosses the site shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

6. Before the development hereby permitted is first used, cycle parking provision shall be made to the satisfaction of the Local Planning Authority and once provided shall be maintained and kept available for use in perpetuity.
7. Notwithstanding the details shown on submitted Watermans drawing numbers CIV NOTTM 09 003 and CIV NOTT 006 006 revised access drawings shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
8. If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected to the main livestock vehicular access [gate 7] they shall be set beyond the access to the Pera site as indicated on the Proposed Site Plan AL(p)01.
9. The/All existing vehicular access(es) that become 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 Local Planning Authority within one month of the new access being brought into use.
10. Before the development commences, details of the routing of construction traffic shall be submitted to and approved by the Local Planning Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.
11. 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.
12. Before the development hereby permitted is first used, temporary signs shall be erected both inside the market site and on the approaches thereto; details to be approved by the Local Planning Authority and to include parking arrangement changes and directions for livestock vehicles and members of the public.
13. Notwithstanding the details as submitted, prior to first use of the building the full design of the footpath to the north shall be submitted and approved in writing by the Local Planning Authority. The details shall include the overall width and surfacing of the footpath and location and design of any gates to be installed.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance.
4. To ensure a satisfactory standard of external appearance.
5. In the interests of the sustainability of the development and to encourage alternative transport choice.
6. In the interests of the sustainability of the development and to encourage alternative transport choice.

7. The details shown on the submitted plans are inadequate and not in accordance with the 6Cs Design Guide and to ensure adequate and safe access for all modes of transport to and from the development.
8. To allow access to the Pera site and 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.
9. To protect footway users in the interests of pedestrian safety, and to reduce the number of vehicular accesses to the site and consequently to reduce the number of potential conflict points.
10. To ensure that construction traffic associated with the development does not use unsatisfactory roads to and from the site.
11. 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.
12. In the interest of highway safety.
13. To promote sustainable modes of transport.

Officer to contact: Mrs Denise Knipe

Date: 23 September 2015