

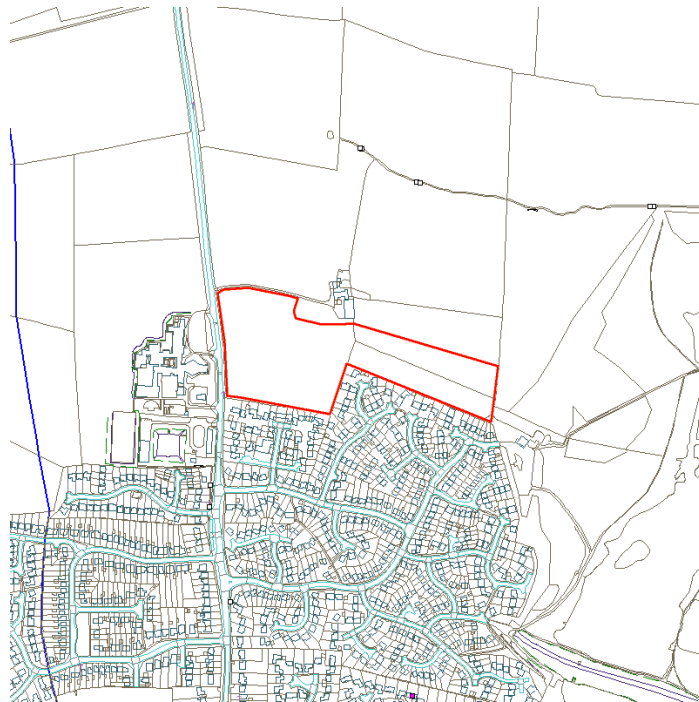
Reference: 13/00497/FUL

Date submitted: 19.07.13

Applicant: Persimmon Homes North Mids Ltd – Miss A Watts

Location: Field No. 3310 Scaford Road, Melton Mowbray

Proposal: Proposed erection of 91 dwellings with a mix of 1, 2, 3 and 4 bedroom dwellings with associated infrastructure, balancing pond, public open space and 2 play areas.



Proposal :-

This application seeks full planning permission for the erection of 91 dwellings on land to the north of Melton Mowbray on the Scaford Road. The site lies outside the designated town envelope within the open countryside and is currently agricultural fields. To the east of the site is farm land and Melton Country Park, to the north is agricultural land. To the south is a large residential estate and to the west is John Ferneley College. The proposed site sits on the edge of an established residential area and forms part of the open countryside expanding north of the town.

The application has been supported by a Planning Statement, Design and Access Statement, Flood Risk Assessment, Ecology Survey, Transport Assessment, Travel Plan, Archaeological Assessment, Landscape Visual Assessment and Affordable Housing Statement. All of these documents are available to view at the Council.

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

- **Compliance or otherwise with the Development Plan**
- **Impact upon the Character of the Area and Open Countryside**
- **Impact upon residential amenities**
- **Road Safety**
- **The impact of the Inspector's letter on the LDF Core Strategy and its subsequent withdrawal**

The application is required to be presented to the Committee due to the level of public interest.

History:-

No relevant history

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 - does not allow for development outside the town and village envelopes shown on the proposals map **except** for development essential to the operational requirements of agriculture and forestry, and small scale development for employment, recreation and tourism.

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 C1: states that planning permission will not be granted for development which would result in the loss of the best and most versatile agricultural land, (Grades 1, 2 and 3a), unless the following criteria are met: there is an overriding need for the development; there are no suitable sites for the development within existing developed areas; the proposal is on land of the lowest practicable grade.

Policy C13: states that planning permission will be granted if the development adversely affects a designated SSSI or NNR, local Nature Reserve or site of ecological interest, site of geological interest unless there is an overriding need for the development.

Policy C15: states that planning permission will not be granted for development which would have an adverse effect on the habitat of wildlife species protected by law unless no other site is suitable for the development
Policy C16.

Policy BE11 – Planning permission will only be granted for development which would have a detrimental effect on archaeological remains of county or district significance if the importance of the development outweighs the local value of the remains. If planning permission is given for the development which would affect remains of county or district significance, conditions will be imposed to ensure that the remains are properly recorded and evaluated and, where practicable, preserved.

The National Planning Policy Framework was published 27th March 2012 and replaced the previous collection of PPS. It 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

- all developments that generate significant amounts of movement to be supported by a Transport Assessment or Statement; development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.
- Developments that generate significant movements are located where the need to travel will be minimised and use of sustainable transport modes can be maximised.

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

- Contribute to and enhance the natural and local environment.
- Aim to conserve and enhance biodiversity

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>LCC Highways – no objection</p> <p>The amendments include alterations to the road layout to meet Highway Authority standards, and changes to two house types, so that they comply with Highway Authority parking standards.</p>	<p>Amended plans have been submitted respect of the housing layout.</p> <p>The proposed development would be served by a single point of access from the Scalford Road.</p>

<p>The Traffic Assessment suggests that in order to mitigate against the impact of the development at the junction of Scalford Road and Norman Way, an alteration to the sequence of the traffic signals at this junction could be carried out. However any changes to these signals could affect the co-ordination with the main Norman Way/Nottingham Road/Asfordby Road/Wilton Road junction. Therefore in lieu of the scheme, it is recommended that the developer makes a contribution to LCC of £3500 towards a SCOOT validation of the signals junction, once the residential development has been completed.</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><u>Travel Packs</u>; 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).</p> <p><u>6 month bus passes</u> (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) £325 per pass (NOTE it is very unlikely that a development will get 100% take-up of passes, 25% is considered to be a high take-up rate).</p> <p><u>New/Improvements to 2 nearest bus stops</u> (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At £3263 per stop.</p> <p>Information display cases at 2 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120 per display.</p> <p><u>Bus shelters</u> at 2 nearest bus stops; to provide high quality and attractive public transport facilities to encourage modal shift. At £4908 per shelter.</p> <p><u>Contribution towards equipping the nearest suitable bus route with Real Time Information (RTI) system</u>, to assist in improving the nearest bus service with this facility, in order to provide a high quality and attractive public transport choice to encourage modal shift. At £600 total.</p> <p>Travel Plan: on the amended Travel Plan it is considered it is generally acceptable, we do not think that a target of 5% reduction is SOV is acceptable and would want the target raising to 10%. We would also require a £6,000 pound monitoring fee to be included in the S106 agreement.</p>	<p>The development would have an internal ‘loop’ road serving all of the properties. The proposed T junction onto Scalford Road is located approximately 30m to the south of the existing access to John Ferneley College. Scalford Road is a single carriageway road with a 30mph speed limit from the town centre to north of John Ferneley College. There is also traffic calming in place in the vicinity of the site.</p> <p>The application proposes a junction with visibility splays of 90m setback 2.4m and junction radii of 10m. The development also proposes a permeable network of footways and a new footway along the Scalford Road frontage.</p> <p>The Transport Assessment sets out sustainable transport options and considered the pedestrian, cycling and public transport infrastructure. The site is considered to be in a sustainable location close to key facilities and amenities in Melton Mowbray. New pedestrian and cycle links are proposed that would improve the connectivity of the site to the existing network and is within easy walking distance of existing bus stops.</p> <p>The Highways Authority have advised that the impact on the wider road network would be negligible.</p> <p>The Highways Authority have no objection to the proposed development and it is not considered that the proposal would have an impact on highway safety.</p> <p>Noted, the applicant is to confirm whether they are willing to enter into this as part of the legal agreement.</p>
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<p>On the basis of the above, the Highway Authority would be prepared to accept the Travel Plan.</p> <p>Conditions: Recommends conditions in relation to visibility, footway, gradients, drainage, parking and construction traffic.</p>	
<p>Police Architectural Liaison - A primary issue for Leicestershire Police is to ensure that the development makes adequate provision for the future Policing needs that it will generate. Leicestershire Police have adopted a policy to seek developer contributions to ensure that existing levels of service can be maintained as this growth takes place.</p> <p>The proposed development will increase the overnight population of this settlement by at least 213 people. It is a fact that 91 new houses 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 subregion.</p> <p>£34345 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. We anticipate using rate revenues to pay for staff salaries and our day to day routine additional costs [eg call charges on telephony and IT vehicle maintenance and so on].</p> <p>Contributions received through S106 applications will be directly used within the associated local policing units to:</p> <ul style="list-style-type: none"> • Equipping staff • Vehicles • Radio Cover • Policing Data Bases Capacity • Control Room telephony • ANPR CCTV deployment • Mobile CCTV Deployment • Additional Premises • Hub Equipment <p>With no evidence of a contribution, Police raise a formal objection to this application on sustainability grounds and because the development is unacceptable in Planning terms without the necessary contribution. Advice taken by Leicestershire Police is that the contents of this letter are sufficient to justify the contribution sought.</p>	<p>Noted, the applicants have stated that they are not willing to pay this developer contribution request. The applicants do not believe that the request is CIL compliant</p> <p>In their response the applicants have stated <i>that the police requests are based on a formula and are sought in each and every case regardless of the specific impact of the development or a need for specific facilities linked to the impact of that development.</i></p> <p><i>The requests relate to funding in part for revenue costs rather than capital costs which they are expected to fund on a day to day basis from their funding.</i></p> <p><i>The costs are in many cases linked to replacement or enhancement of existing facilities and are not therefore related to the impact of the development and any increase in facilities required by virtue of the development</i></p> <p><i>In many instances police facilities and staffing are being reduced not increased, which makes a nonsense of the idea that this is to fund extra staff and staff facilities, the need for which arises from the development.</i></p> <p>It is noted that the addition of 91 dwellings would have some impact on policing within the Borough. Developer contributions are meant to be an agreement between all parties and the applicant have stated that they are not willing to pay and that it is not CIL compliant. Therefore, consideration is required as to whether the development is considered unacceptable if the contribution is not accepted.</p>

<p>A full copy of the Polices request for developer contributions can be viewed at the Council Offices.</p>	
<p>LCC Archaeology – no objection</p> <p>The Leicestershire and Rutland Historic Environment Record (HER) notes the presence of significant archaeological remains within the vicinity of the proposed scheme, comprising evidence for human activity and occupation of the area from the Bronze Age (HER ref.: MLE3996 and 7269) through the Late Iron Age (MLE3995 and 6589) to the Roman period (MLE3992, 3994 and 8006). These findings are reflected in the assessment of the archaeological potential submitted by the developer’s archaeological contractor, which suggests that the site possesses a ‘...moderate to high potential for archaeological remains from the prehistoric or Roman periods to be discovered during any ground-works associated with any new development on the site.’</p> <p>It is recommended, that the applicant be required to undertake a further stage of archaeological evaluation (geophysical survey and trial trenching) of the application area in order to establish the significance of any heritage assets likely to be affected.</p> <p>On submission of an archaeological field evaluation; The evaluation clearly demonstrates the site has a low potential for the survival of significant archaeological remains; on that basis we would like to revise our previous comments and recommend no further archaeological involvement is necessary. The work has ensured proper assessment of the archaeological interest inherent in the site, informed the resulting planning decision and avoided the need for the imposition (and subsequent management) of what would have been unnecessary archaeological planning conditions. The information will also be used to update and enhance our understanding of the patterns of prehistoric and later settlement patterns in the area.</p>	<p>Noted.</p> <p>Concern was expressed based on the HER and the archaeological desk-based assessment submitted that archaeological remains may extend into the application site. It was considered that further evaluation of the site was required prior to determination of the application.</p> <p>The applicants subsequently submitted an archaeological field evaluation which demonstrated that the site had low potential for significant archaeological remains and LCC Archaeology has no objection to the proposal.</p>
<p>LCC Ecology – no objection</p> <p>The ecology report submitted in support of the application (FPCR, June 2013) focuses on the main housing area of the proposed development. The area allocated for balancing pools has not been surveyed. However, they are satisfied with the extent of the ecological report and consider, should they be designed appropriately the balancing pools may provide an ecological enhancement to the site.</p>	<p>Noted.</p> <p>A Protected Species Survey has been submitted and there has been no objection to the proposal from our specialist Ecological advisors.</p> <p>The application is proposing balancing ponds, open landscape ditches and stilling pools which are considered to be a biodiversity gain. The NPPF paragraph 109 states that the planning</p>

<p>Bats –one tree on the southern boundary of the site provided some potential as a bat roost. It appears from the proposed layout that this tree is to be retained. However, should the plans change and this tree be proposed for removal, we would recommend that the further surveys detailed in 4.19 and 4.20 of the ecology report are followed.</p> <p>Great Crested Newts (GCN) –the ponds within the vicinity of the application site have been surveyed under the Habitat Suitability Criteria for their potential to support great crested newts. Additionally, record search has highlighted the known presence of GCN in the wider vicinity. Agree with the conclusions in the report relating to great crested newts in that the suitable habitat surrounding the known newt ponds and suboptimal habitat on the application site indicate ‘that it is unlikely that the GCN population present would utilise habitats within the application site’.</p> <p>Habitat Retention and Creation –existing hedgerows are to be retained on site. Recommend that the new balancing ponds are designed to hold some water at each time of the year in order to provide a biodiversity gain on the site. Recommend that, should the pond area be planted, locally native species be used.</p>	<p>system should minimise the impact on biodiversity and providing net gains in biodiversity where possible. In paragraph 118 of the NPPF it states that opportunities to incorporate biodiversity in and around developments should be encouraged. This is considered to be a material consideration when determining the application.</p>
<p>Environment Agency- no objection</p> <p>The proposed development will be acceptable if a planning conditions are included;</p> <p>Recommend conditions as follows:</p> <ul style="list-style-type: none"> • Full details of Sustainable drainage - The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of two treatment trains to help improve water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features. <p>The applicants should note that by utilising an existing ordinary watercourse as on-line storage, they are encouraged to seek advice from the Lead Local Flood Authority in terms of whether a Land Drainage Consent is required and if on-line storage is acceptable for this proposal. There must be no exacerbation of flood risk resulting from this development as would adversely affect the Scafford Brook.</p>	<p>Noted.</p> <p>The Environment Agency has independently reviewed the flood risk assessment and is satisfied with its content and conclusions, prior to arriving at this recommendation.</p> <p>Conditions can be imposed in respect of the Environment Agencies request.</p> <p>Noted, this can form an informative on the permission if the application is considered acceptable.</p>

<p>As part of the Agency's objective to further the sustainable use of our water resources they are promoting the adoption of water conservation measures in new developments. Such measures can make a major contribution to conserving existing water supplies.</p> <p>The Agency recommends the installation of fittings that will minimise water usage such as low, or dual, flush WC's, spray taps and economical shower-heads in the bathroom. Power showers are not recommended as they can consume more water than an average bath. Water efficient versions of appliances such as washing machines and dishwashers are also recommended.</p> <p>For outdoors consider installing a water butt, or even a rainwater harvesting system, to provide a natural supply of water for gardens. Simple treatment systems exist that allow rainwater to be used to supply WC's within the home.</p> <p>Following the above recommendations will significantly reduce water consumption and associated costs when compared to traditional installations. Rainwater harvesting utilises a free supply of fresh water and reduces the cost to the environment and the householder.</p>	
<p>Trent Valley Internal Drainage Board – No comment</p> <p>The application site is outside of the Boards district.</p>	<p>Noted.</p>
<p>Severn Trent Water Authority – No objections subject to conditions requiring full details of drainage plans for the disposal of foul sewage and surface water.</p>	<p>Noted – conditions can be applied to this effect. It is noteworthy that Severn Trent do not object, or raise concerns, about the capacity of the drainage system.</p>
<p>Coal Authority – no objection</p> <p>In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.</p>	<p>Noted, this can be included as an informative.</p>
<p>MBC Housing Policy Officer–</p> <p>Housing Mix:</p> <p>The Leicester and Leicestershire Strategic Housing Market Assessment (Bline Housing, 2009) supports the findings of the Housing Market Analysis and states that controls need to be established to protect the Melton Borough (particularly its rural settlements) from the over development of large executive housing, and to encourage a balanced supply of suitable family</p>	<p>Noted.</p>

<p>housing (for middle and lower incomes), as well as housing for smaller households (both starter homes and for downsizing). It continues to state that the undersupply of suitable smaller sized dwellings needs to be addressed to take account of shrinking household size which if not addressed will exacerbate under-occupation and lead to polarised, unmixed communities due to middle and lower income households being unable to access housing in the most expensive and the sparsely populated rural areas.</p> <p>The application proposes mainly house type accommodation, with only two bungalows provided and whilst both bungalows are proposed as affordable housing and this is positive, the lack of market bungalows is a cause for concern with regard to the borough's population profile which highlights the need for more smaller, downsizing suitable accommodation. What is more paragraph 50 of the National Planning Policy Framework states that we should plan for a supply of housing that meets the needs of our population, both now and moving into the future and arguably this application, in focuses on larger houses, is failing to do that.</p> <p>Affordable Housing: This application offers a 40% affordable housing contribution, amounting to 36 affordable units. The affordable units are well integrated across the site, with the applicant taking care to ensure they are evenly distributed. It is sought that market bungalows are introduced to the site, in place of some of the 4 bedroom market houses, in order to comply ideally with para. 50 of the NPPF.</p>	<p>The proposed housing mix would be as follows; 23 x 4 bedroom dwellings 35 x 3 bedroom dwellings 6 x 2 bedroom dwellings</p> <p>With regards to Affordable Housing mix 4 x 1 bedroom apartments 2 x 2 bedroom bungalows 16 x 3 bedroom houses 2 x 4 bed dwellings 12 x 2 bedroom dwellings.</p> <p>Saved policy H7 of the Melton Local Plan requires affordable provision 'on the basis of need' and this is currently 40%. This proportion has been calculated under the same processes and procedures which have previously set the threshold and contribution requirements for affordable housing within the Melton Borough.</p> <p>The Applicant having been made aware of the concerns of the Housing Officer has now confirmed that;</p> <p>In total the affordable housing represents 40%, being 36 in number.</p> <p>It is considered that the affordable housing is considered to meet the development plan (40%). In addition, the configuration of the affordable houses, in terms of size and tenure, present a very close 'fit' with identified needs.</p> <p>The applicant is working with a Registered Provider who is acceptable to the Council and will be party to any Section 106 Legal Agreement to ensure that that affordable houses are delivered as part of the overall scheme.</p> <p>The lack of bungalows is noted, however, this is required to be considered as part of the overall house type balance, including the affordable housing provision and the overall good mix of</p>
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	units provided. The NPPF requires LPA's to provide for a mix of housing based on current and future demographic trends, market trends and the need of the community. Overall it is considered that the scheme provides for a good mix of house types and good level of smaller dwellings, including apartment, 2 bed dwellings and 2 bed bungalows. When weighed against the affordable housing levels it is considered that the proposal is acceptable and should be considered as a benefit of the proposed development.
LCC Mineral and Waste Planning Authority – no comment to make.	Noted
CPRE – no comments received to date	If comments are received then Members will be verbally updated.
<p>LCC Developer Contributions-</p> <p>Waste - The County Council considered the proposed development is of a scale and size which would have an impact on the delivery of Civic Amenity waste facilities within the local area. The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of £8,074 (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.</p> <p>Libraries – The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area. The proposed development on Scalford Rd Melton Mowbray is within 1.8km of Melton Library, Wilton Road being the nearest local library facility which would serve the development site. The library facilities contribution would be £5,440 (rounded to the nearest £10). It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought to purchase additional library materials, e.g. books, audio books, newspapers and periodicals etc for loan and reference use to mitigate the impacts of the proposed development.</p> <p>Education- no contribution is requested.</p>	<p>Noted – If the development is considered acceptable a Section 106 Agreement to secure developer contributions would be needed.</p> <p>It is considered that these contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement.</p> <p>The applicant has agreed to these payments.</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>LCC Highways - £3500 towards a SCOOT validation of the signals junction, once the residential development has been completed.</p> <p>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><u>Travel Packs</u>; 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).</p> <p><u>6 month bus passes</u> (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) £325 per pass (NOTE it is very unlikely that a development will get 100% take-up of passes, 25% is considered to be a high take-up rate).</p> <p><u>New/Improvements to 2 nearest bus stops</u> (including raised and dropped kerbs to allow level access); to support modern bus fleets with low floor capabilities. At £3263 per stop.</p> <p>Information display cases at 2 nearest bus stops; to inform new residents of the nearest bus services in the area. At £120 per display.</p> <p><u>Bus shelters</u> at 2 nearest bus stops; to provide high quality and attractive public transport facilities to encourage modal shift. At £4908 per shelter.</p> <p><u>Contribution towards equipping the nearest suitable bus route with Real Time Information (RTI) system</u>, to assist in improving the nearest bus service with this facility, in order to provide a high quality and attractive public transport choice to encourage modal shift. At £600 total.</p> <p>Ecology, Landscape: no requirements</p>	
<p>MBC Developer Contributions –</p> <p>Leisure – contribution to new leisure facilities. £9100 contribution to dry side facilities due for completion 2015/16. Costing based on proportion costing of £1million project.</p> <p>Contribution to new sports pavilion in Country Park, £4500 based on proportion of £250,000 project.</p>	<p>It is considered that these contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement.</p> <p>The applicant has agreed to these payments.</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>Grounds Maintenance – request for contribution for maintenance of open spaces within the development and the SUDs. <u>Leap</u> x1 (400m3) x £2500 (13/14) At least 6 pieces of play equipment – grass maintenance, boundary maintenance, paths/ benches / tables, signage upkeep, equipment maintenance /inspection /replacement 13/ 14 year 1 cost - £2500</p> <p><u>Lep</u> x 1 (100m3) x £1000 (13/14) Small play space for toddlers – grass maintenance, boundary maintenance, paths / bench /table , single static play unit inspection / maintenance / replacement 13/ 14 year 1 cost - £1500</p> <p><u>POS</u> 3500m3 -£2.50 m3 (average 12 cuts) (13/14) 13/ 14 year 1 cost - £8,750</p> <p><u>Suds</u> 7500m3 (up to 6 cuts plus extra works) x £2 (13/14) 13/ 14 year 1 cost - £15,000</p> <p>Total £27,750 x 15 years Total £ 416, 250 k</p> <p>Total £ 416, 250 k (no inflation allowed) With an allowance for inflation of 3% per year the total for 15 years would be £516,200</p>	<p>Noted, the applicant is still considering the costings involved in the contribution for the maintenance of the open space. If no agreement can be reached this should not delay the application as a condition can be imposed in relation to the maintenance of the open space in the site and maintenance agreement (or other means of maintenance) can be approved at a later date.</p>
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Representations:

A site notice was posted and neighbouring properties consulted. As a result **172 letters of objection have been received from 111 households**, the representations are detailed below:

Representations	Assessment of Head of Regulatory Services
<p>MNAG:</p> <p>We object to the planning application 13/00497/FUL by Persimmon Homes to build 91 homes in the North of Melton Mowbray because this direction of development directly conflicts with the findings of the Planning Inspector at the recent examination of the MBC Core Strategy.</p>	<p>The core strategy was submitted for Examination in Public in September 2012. The hearing took place in Feb/Mar 2013. The Inspector, in his letter to the Council considered that there were matters of fundamental concern with the Core Strategy. This led to the Council’s withdrawal of the Core Strategy. It is considered that the Inspector’s letter is a material consideration in the determination of the application.</p> <p>It is advised that the extent to which the Inspector’s conclusions determine that this application should be refused will be dependent upon the Committee’s judgment as to whether the application gives rise to the same issues that led to his recommendation on sustainability. This proposal is precisely defined and represents 10% (approx) of the scale envisaged by the Urban Extension</p>

<p>The Inspector’s report summarised some major concerns including landscape sensitivity, agricultural land quality, biodiversity and transport/road infrastructure.</p> <p>He could not support the direction of growth to the north of Melton based on sustainability and accessibility.</p> <p>A large number of residents in the North of Melton are disappointed at the news of the planning application from Persimmon Homes to build 91 homes off the Scalford Road in the North of Melton Mowbray.</p> <p>Persimmon homes are undoubtedly trying to pressure the Council in to approving this application under the mistaken rationale that the Council has not provided a 5 year supply of land. The five year supply of land is not the be all and end all of the issue and the statement in Paragraph</p>	<p>proposed by the Core Strategy. This definition allows a precise assessment of the concerns raised by the Inspector in relation to impacts upon landscape, agriculture and biodiversity to be made (the Inspector could only make a generalised, broader, basis in relation to the Core Strategy because it was concerned with a general “direction of housing growth” covering a significantly larger possible area). The Core Strategy was assessed as a comparative exercise, in the context of other possible options; a planning application must be considered under the ‘presumption in favour of sustainable development’ based on its own merits, rather than by comparison to those of other sites.</p> <p>Whilst the Core Strategy did not allocate a specific site for the SUE it is highly likely that that this application site would have formed part of the SUE. The Inspector did raise concerns over the impact the SUE would have upon landscape, agricultural land and biodiversity: however, it must be acknowledged that the Inspector was considering a significantly larger area than that proposed by the current application.</p> <p>A key component of the Core Strategy involved the identification of a broad direction of housing growth to the north of Melton Mowbray which was to comprise a sustainable urban extension (SUE) of around 1,000 new homes and compared this to other potential options.. Whilst the Core Strategy did not identify any specific site boundaries or allocate land beyond indicating the broad direction of growth it is highly likely that the application site would have been incorporated into the SUE. However, it should also be noted that in the context of the Core Strategy the Inspector was examining a broad proposal for 1,000 homes, with no specific plans to allow detailed assessment of impact on the ground. In regard to transport he made no detailed assessment of specific impacts but examined the proposal at a strategic level and made comparison with alternatives for the bypass.</p> <p>Noted, there has been a significant number of objections received to the proposal.</p> <p>Noted, Paragraph 49 of the NPPF is a consideration in the determination of the application and is commented on in the report below. This paragraph, however, will need to be read with all the relevant sections of the NPPF and the saved Policies contained within the</p>
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<p>49 of the NPPF “Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”, does not mean that applications should be granted willy nilly and in particular where there are clear planning objections in a given area. There are several Appeal decisions to this effect.</p> <p>The Council has stated that it is beginning work on a new Local Plan which will involve consultation with residents and other interested parties and that process should be allowed to take place first.</p> <p>The timing of the Persimmon application is without doubt opportunist on their part but to allow this application to go forward at this point in time is perverse and flies in the face of the recent adjudication made by the Planning Inspector. Quite literally it is a disgraceful snub to localism and the planning authority should reflect on that and their part in any new decision.</p>	<p>adopted Local Plan. It is agreed that the absence of a 5 year housing land supply does not automatically lead to a conclusion that housing proposals should be approved. In all cases, assessment of their merits and impacts within the context of the presumption in favour of sustainable development is required.</p> <p>The Council has started working on a new Local Plan. Melton Council has a duty in law to determine all applications submitted and cannot put it aside or reject it until a Local Plan is in place.</p> <p>Noted.</p>
<p>Planning Policy issues: the requirements of the NPPF</p> <p>Persimmon homes are undoubtedly trying to pressure the council in to approving this application under the mistaken rationale that the Council has not provided a 5 year supply of land. The five year supply of land is not the be all and end all of the issue and the statement in Paragraph 49 of the NPPF “<i>Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites</i>” does not mean that applications should be granted willy nilly and in particular where there are clear objections for planning applications in a given area.</p> <p>Contrary to advice in the NPPF</p>	<p>Adopted Melton Local plan:</p> <p>The site lies outside the designated town envelope. Outside the town envelope development is strictly limited by Policy OS2 with limited exceptions for residential dwellings, usually tied to rural business for workers accommodation or affordable housing as an exception site. Residential development of this site does not comply with the development plan policy OS2.</p> <p>The development is for market housing with a requirement to provide 40% of affordable housing, in accordance with Policy H7. It is not being considered as an exception site under Policy H8 which allows for small size developments containing affordable housing only.</p> <p>It is therefore considered that the development is inherently contrary to the development plan and permission can be granted only if there are material considerations considered to be of such significance to outweigh this position.</p> <p>The NPPF is considered to be a material consideration of significant weight that needs to be considered alongside the Development Plan.</p> <p>The National Planning Policy Framework (NPPF) provides guidance at a national level. In relation to existing development plans. The NPPF states that due weight should be given to</p>

	<p>relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The saved policies of the adopted Melton Local Plan should be applied in this context.</p> <p>The NPPF is founded upon a presumption in favour of sustainable development which in relation to decision making means approving proposals that accord with the development plan without delay; and, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or, specific policies in the Framework indicate development should be restricted.</p> <p>As summarised above (page 2) the NPPF seeks to boost housing supply and requires provision of a 5 year supply of housing land plus 5% ‘headroom’. Melton’s most recent analysis concluded that this is not being met and the available supply is significantly below 5 years. There have been no recent challenges to this position. The NPPF further advises that housing policies should not be considered up to date if a 5 year supply cannot be demonstrated. This is in addition to its more general approach (at para. 14) that where a local plan is out of date permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits, judged by the content of NPPF.</p> <p>It is considered that these expectations of the NPPF considerably undermine the reliance that can be placed on the housing policies of the Local Plan. However, policy OS2 is considered to remain compatible with the NPPF and greater reliance can be attributed to its content and objectives.</p> <p>The site is considered to be greenfield and not brownfield. The NPPF encourages the re-use of brownfield land but there is no prohibition on the use of Greenfield land. In Melton’s circumstances, there is insufficient brownfield land to meet supply and Greenfield locations are required to satisfy demand.</p> <p>Conclusion on Planning Policy issues:</p> <p>It is considered that Policy OS2 remains compatible with the NPPF as this relates to countryside protection which is also a NPPF objective. In this respect, the Committee should</p>
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	<p>consider two central issues:</p> <ul style="list-style-type: none"> • Whether the harm to the character and appearance of the countryside ‘significant and demonstrable’, sufficient to outweigh the benefits of the scheme. • Whether, if considered harmful, the overall benefits outweigh the adverse effects. It is considered that the provision of affordable housing is particularly significant in this context.
<p>Inspection of the MBC Core Strategy:</p> <p>Direction of growth to the North of Melton Mowbray was found unsound by the Planning Inspector.</p> <p>The following were major concerns:-</p> <ul style="list-style-type: none"> • Highways – Scalford Road is narrow and already at capacity and further vehicles from this development will result in serious problems including safety of the John Ferneley College students. • The highest Quality and sensitivity of Landscape surrounding the town was to the North. 	<p>The Melton Core Strategy was submitted for Examination in Public in September 2012, with the hearing sessions taking place in February/March 2013. The Planning Inspector, in his letter to the Borough Council on the 11th April 2013, considered that there were matters of fundamental concern with the Melton Core Strategy which could not be overcome through changes. In his assessment of the direction of growth to the north (SUE) the Inspector identified several reasons why he could not support this strategy. Of particular relevance to this application he raised concerns that there would be an unacceptable impact on the landscape, agricultural land and biodiversity. The Inspectors letter is considered to be a material consideration in the determination of this application.</p> <p>In regard to transport the Inspector made no detailed assessment of specific impacts but examined the proposal at a strategic level and made comparison with alternatives for the bypass. An assessment on the impacts of the proposal on the highway network is contained in the report on page 3.</p> <p>The judgement was based on the content of the 2006 landscape report which examines the landscape character of the Borough and which assessed in more detail the sensitivity of zones around the edge of Melton Mowbray. The application site is located within ‘Zone B’, which along with Zones A and C, is described as the most sensitive landscape surrounding the town. The study states that development, particularly in the higher northern part, would significantly increase the visibility of the town from the surrounding area; and, that at present built development is confined to the lower slopes leaving open countryside to the north. Zone B is considered to be of High/Medium landscape character sensitivity.</p> <p>The 2011 update noted that only two Zones, A</p>

<ul style="list-style-type: none"> • Biodiversity and Agricultural land quality was superior to other sites (Grade 3a) and should be safeguarded • The cutting off of the open countryside of the Country Park will also have an adverse effect upon biodiversity. 	<p>and D, had been noticeably affected by new development since the 2006 report. However, the change in Zone A relates to John Ferneley College which is directly opposite the application site. The update notes that:-</p> <p><i>“The main building is significantly larger than the previous building and is more prominent, being contemporary in design, rendered white and with an adjacent wind turbine. All of the new building is visible in views to the south east from the northern part of the zone. The buildings are set against a backdrop of Melton, in particular the large factory buildings and their prominent roofs in Zone D, the housing estates south of Zones A and B and the housing estates in the far distance across the valley in Zone E, which has the effect of setting the school buildings within the urban context. However, few people will actually see the buildings from the north as there are few receptors and accessible viewpoints. Other views, such as from the south and from the Scalford Road, are limited due to rising foreground, which partially screens the buildings reducing their apparent height.</i></p> <p><i>As the new school buildings are located within the existing school grounds there has been no impact on the underlying landscape structure and the character of the agricultural fields, hedges and woods remains unaffected. Therefore the sensitivity of the landscape character of Zone A has not been diminished and remains High.”</i></p> <p>The site would be in close proximity to the existing built form and would be viewed against an urban backdrop, as John Ferneley College is at present. The site occupies a small element of ‘zone B’ and does not occupy the higher northern parts referred to in the study. It is considered that the reasoning, outlined in the landscape report, that the impact the school has on the landscape could similarly be applied to the application site specifically. An further, site specific, assessment on the impact to the character and appearance of the open countryside is contained below.</p> <p>Whilst the Agricultural Quality of Land Report (2005) identifies the agricultural land quality to the north of the town to be of superior quality, the application site itself falls solely within the sub-grade 3b which is lower quality. The NPPF classifies that land in grades 1, 2 and 3a should be considered as best and most versatile agricultural land. In relation to development the NPPF states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. The</p>
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<p>The land in question lies to the North of Melton Mowbray and these reasons still stand.</p> <p>The proposed Sustainable Urban Extension is not sustainable.</p> <p>Development to the north is unsustainable.</p> <p>The proposal is contrary to advice in the NPPF about the use of such resources.</p> <p>The application flies in the face of the Inspectors findings and MBC should not grant planning permission for this development.</p>	<p>application site does not fall into this category.</p> <p>Melton Borough Biodiversity & Geodiversity Study (2008) and Revised Study (2011) identifies the main biodiversity and geodiversity resources present in the Borough, with particular emphasis on the outskirts of Melton Mowbray. As regards the application site, which falls within Zone B, the area contained no protected or notable species and in relation to habitat is identified as an “area of uncertainty” due to limited/no access.</p> <p>The 2011 revised study updated the details from the 2008 study and again identified no protected or notable species as present on the application site though a potential ecological constraint in the form of a small, broad leaved woodland is identified to the East. In terms of habitat the site was again identified as an “area of uncertainty” due to limited/no access. An assessment on the impacts of the proposal on ecology is contained in the report on page 7 above which concludes that no unacceptable impact would result.</p> <p>Noted, see commentary above.</p> <p>This application is not for a Sustainable Urban Extension.</p> <p>The site is located on the edge of Melton Mowbray, the largest settlement and main social and economic focus for the Borough. The centre of the town is 1.8km away and it is within close proximity to John Ferneley College. This offers better opportunities for more sustainable means of transport than more rural locations and journeys to services and facilities are considerably reduced in comparison. In these terms the location is considered to be sustainable.</p> <p>A policy assessment is contained within the report.</p> <p>The Inspectors letter is a material planning consideration but need to be considered along with Local Policy, the NPPF and other material considerations.</p>
<p>Infrastructure</p> <ul style="list-style-type: none"> • Inappropriate to allow piecemeal development where there is no change to infrastructure. • More houses on the flood plain will make the area to the north of Melton worse. 	<p>The Highway Authority have raised no objection to the proposal, provided conditions are imposed.</p> <p>Severn Trent has registered no objection to the application, provided conditions are imposed to control the drainage arrangements.</p>

<ul style="list-style-type: none"> • The outfall from the water treatment system is shown flowing into the watercourse through the park, which is described as a tributary to the Scalford Brook, this watercourse is at best a shallow drainage channel which even at times of heavy rainfall is not much more than a trickle below the woodland play area it becomes very restricted. so at a time of moderate to heavy rainfall it would overflow and flood the surrounding area including the footpath alongside the reservoir, if the outfall was allowed to discharge into it. • The Park is now a QE2 field in trust and as such any development within the Park including the restructuring of this watercourse to accommodate the outfall of storm water from the proposed development should not be allowed as it is not a scheme to improve the Park. 	<p>A Flood Assessment has been carried out and independently reviewed by the Environment Agency with no objections raised subject to conditions. The details of these are addressed opposite the comments from the Environment Agency above.</p> <p>Under the Surface Water Management Act 2010, the requirement for the use of Sustainable Drainage (SUD) systems is required on a development of this scale. The attenuation pond proposed is one form of SUD and will allow retention of surface water which controls run off rates preventing flooding of the site. The aim of SUDS is to restrict development runoff at peak flow rates to predevelopment rates, in this case – greenfield run off rates will apply, to ensure they do not add to flooding issues.</p> <p>The application has been supported with appropriate reports which have been independently reviewed by the Environment Agency and they raise no objection subject to conditions (see above).</p>
<p>Highways and Road Safety</p> <ul style="list-style-type: none"> • Traffic on Scalford Road is already very heavy, especially at peak times – how can it sustain a large number of extra cars. • Scalford Road is narrow and busy and the pavements dangerously narrow at certain points. • Melton can be clogged up with traffic on many occasions, therefore until a suitable bypass is built around the town the Council needs to site any housing development close to locations of employment. Failure to do so could result in Melton being brought to a standstill. • Concern over amount of traffic on already overstretched and congested roads. • Impossible to get into Melton on Market day and more traffic will make it worse. • Needs to be safety issues for pedestrians, cyclists as the paths are very narrow. Danger to pedestrians, mothers with prams and school children. • Pupils at risk of accident. • Traffic survey not appropriate and misleading as carried out during examination period at the school. No meaningful data is therefore provided. 	<p>The Highway Authority raises no objections subject to conditions, see assessment above.</p> <p>The proposed development would be served by a single point of access from the Scalford Road. The development would have an internal ‘loop’ road serving all of the properties. The proposed T junction onto Scalford Road is located approximately 30m to the south of the existing access to John Ferneley College. Scalford Road is a single carriageway road with a 30mph speed limit from the town centre to north of John Ferneley College. There is also traffic calming in place in the vicinity of the site.</p> <p>The application proposes a junction with visibility plays of 90m setback 2.4m and junction radii of 10m. The development also proposes a permeable network of footways and a new footway along the Scalford Road frontage.</p> <p>The Traffic Assessment suggests that in order to mitigate against the impact of the development at the junction of Scalford Road and Norman Way, an alteration to the sequence of the traffic signals at this junction could be carried out. However any changes to these signals could affect the co-ordination with the main Norman Way/Nottingham Road/Asfordby Road/Wilton Road junction. Therefore in lieu of the scheme, it has been requested that the developer makes a contribution to the County Council of £3500 towards a SCOOT validation of the signals junction, once the residential development has</p>

<ul style="list-style-type: none"> • Extra strain will be placed on Norman Way junctions at Scalford Road, Nottingham Road and Asfordby Road. Also stresses on roads linking Scalford and Nottingham Road will be used as rat runs. • Exacerbate traffic on Melton Spinney Road and its junction with Thorpe Road. • Core Strategy views as ill conceived, whilst this is a smaller development it still approaches 10% of the number of dwellings in the ill-fated plan but brings it zero assistance for traffic and road mitigation. • A request for a post office and public house on Scalford Road were refused on grounds of excess traffic. <p>Sustainability;</p> <p>The travel plan and reducing number of trips by using alternative modes of travel are flawed;</p> <p>Public Transport: there is a twice hourly bus service into town and the nearest stop just down the road. Once the free passes expire doubt that residents will continue to pay.</p> <p>Car Share: will not work on a housing estate.</p> <p>Cycling: Scalford Road is not wide enough for cyclists. The estate roads are full of parked cars and create blind spots for motorists and have hazards for cyclists.</p> <p>Walking: residents will not opt to walk the 1 ½ miles to the town centre.</p> <p>Sustainable development would be to the south and west as pointed out by the Inspectorate. Shops are some distance, no community facilities, employment is to the south.</p>	<p>been completed.</p> <p>The traffic flow data used in the assessment was provided by LCC from a fixed automatic traffic counter for September 2012. A traffic count survey was also undertaken on a day in June 2013. There was also an assessment of the signal crossroad junctions for 2013 weekday mornings and evening peak hours. The Highway Authority have raised no concern over the information used in the traffic assessment.</p> <p>The traffic assessment demonstrates that the residual impact of the proposed development on the operation of the local highway network is negligible.</p> <p>The Highways Authority has no objection to the proposed development and it is not considered that the proposal would have an impact on highway safety.</p> <p>The Transport Assessment sets out sustainable transport options and considered the pedestrian, cycling and public transport infrastructure. The site is considered to be in a sustainable location close to key facilities and amenities in Melton Mowbray. New pedestrian and cycle links are proposed that would improve the connectivity of the site to the existing network and is within easy walking distance of existing bus stops.</p> <p>The site is located on the edge of Melton Mowbray, the largest settlement and main social and economic focus for the Borough. The centre of the town is only 1.8km away and it is within close proximity to John Ferneley College. This offers better opportunities for more sustainable means of transport than more rural locations and journeys to services and facilities are considerably reduced in comparison. In these terms the location is considered to be sustainable.</p>
<p>Character of the Area</p> <ul style="list-style-type: none"> • Negative impact on the countryside • Landscape affected, and a loss to future generations. • Will spoil the landscape enjoyed and appreciated daily by more than a thousand people at the school alone. • Result in a significant and detrimental change to the character of the landscape which is most sensitive around the town. • Changes the views from vantage points and when approaching the town from Scalford Road. 	<p>The application site is located in the open countryside as defined in the Local Plan.</p> <p>It is considered that the erection of 91 dwellings could result in a development with an ‘urbanising’ effect on land that is currently undeveloped and in the designated open countryside. Due to the large scale of development proposed it is inevitable that the character of the area would be altered from its existing form. It is considered this impact should be considered in the balance of ‘harm’ against benefits described in the Planning Policy section above.</p> <p>The submitted layout clearly demonstrates that the density of the proposal is in a similar range to that</p>

<ul style="list-style-type: none"> • The northern aspect of Scalford Road is by far the most attractive of all the routes into and out of the Town, and this is greatly enhanced by the stands of mature trees along its course. Some of these trees may well have to be greatly pruned, or indeed felled, to allow the required widening of the Road. • The proposed Bingham to Melton Country Park wildlife corridor .To which the MBC and the Leic CC are both signatories, is at present dormant however when it is reawakened it will preclude any development within one kilometre either side of the disused railway. This was included in the FOMCP submission to the public enquiry and was obviously taken into consideration by the inspector, this would mean that no additional development should be allowed on the east of Scalford Road from the current northern boundary of the town. • Impact on the Country Park support and enjoyment of the Park. The Councillors should support the Government Policy of encouraging well-being and exercise for future generations. • Loss of link from Country Park to open countryside. 	<p>of the surrounding area and as an ‘edge of settlement’ location would not be out of keeping with the surrounding form of development.</p> <p>The site lies on the edge of the urban area of Melton. When approaching the town from the north the site would be viewed against an urban backdrop with the existing residential development to the south and south east and John Fernley College to the north west. When approaching the town along the Scalford Road it is considered that the proposal will be afforded a similar view to the existing and due to John Fernley College and development to the west will not appear to protrude beyond the existing built form.</p> <p>When approaching the development from the south, leaving the town on the Scalford Road, again it is considered that the proposal will be read in the context of the existing residential development and the school.</p> <p>Green corridors along Scalford Road have been incorporated into the design with street trees to create an attractive soft edge to the gateway into the development and along Scalford Road. The existing hedgerow will also be retained which retains the character of this part of Scalford Road.</p> <p>The application has been accompanied by a Landscape and Visual Appraisal. The LVIA concludes that the proposal responds well to the townscape and landscape character of the locality, recognising and responding to opportunities to extend local green infrastructure at the urban edge and enhance character. The LVIA confirms the limited landscape features that exist within and abutting e site and these are largely to be retained. The LVIA only identifies moderate adverse impacts on the landscape value to existing residents and drivers along the southern boundary.</p> <p>Part of the proposal is to include a Sustainable Urban Drainage System (SUDs) to the north east. This will run parallel to part of the Country Park and adjoins the boundary to the west. It is not clear how the proposal will impact on links to the Country Park as there is no current link from the site into the Park. This application proposes a footpath which could link into the Country Park along west boundary and this is considered to be a benefit of the scheme linking the development with the facilities that the Park has to offer.</p> <p>The proposed location, on the edge of the built settlement, and enclosed by development to the west, which extends further than the proposal, and partially enclosed to the east by existing properties is considered to have limited harm to</p>
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	<p>the open countryside. The application has been well designed with green corridors, public open spaces and amenity spaces which enhance the proposal.</p> <p>The proposal would lead to development of agricultural land in the designated open countryside and would be contrary to Policy OS2. As stated above, however, the harm is limited by the surrounding built form, well designed layout and landscaping. Therefore the limited harm in respect of the open countryside is required to be balanced against the benefits of the scheme.</p>
<p>Residential amenity: Overlooking/loss of amenity</p> <ul style="list-style-type: none"> • Direct impact on our home in terms of loss of view and light. As the field in question is situated higher than our home/garden then the new properties will look down directly into our homes (including our bedrooms at the back of our property). • Any trees that are planned for planting will then grow and block out light as the sun moves round into setting position in the west - this will create large areas of shade over half of our garden. 	<p>The proposed 91 dwellings would be sited on land to the north of an existing residential area. To the south and south east of the site are the rear of residential properties on Mansion House Gardens and Laura Davies Close. The land rises to the north and the site is elevated to the properties which form the southern boundary. Concern was expressed regarding the separation distances to the rear of properties on these boundaries and the change in levels and an amended plan submitted accordingly. All proposed properties which would have a main fenestration facing the rear of existing properties (main to main) would have a minimum distance separation of 24 metres. Any proposed dwellings with a side elevation facing the existing properties (blank to main) would have a minimum distance separation of 14.5 metres. These distance separations are considered acceptable and meet the standards normally accepted. Having assessed the relationship between the proposed and existing properties it is not considered that the proposal would have a unduly detrimental impact on the residential amenities of adjoining properties. A condition could be imposed in respect of finished floor levels in relation to existing properties.</p> <p>The proposed layout plan does indicate additional planting along the southern boundary, however, this has not been formally submitted as a worked up landscaping scheme and if the proposal is considered acceptable a condition can be imposed to require a detailed landscaping scheme. This would specify the nature and type of planting which can be assessed as to its suitability and impact on the properties on this boundary.</p> <p>It is not considered that the proposal would have a detrimental impact on the residential amenities of adjoining properties and is considered to comply with Policy BE1 of the</p>

<p>Wildlife</p> <ul style="list-style-type: none"> • Potential impact on wildlife • Impact on Country Park, disrupt wildlife • Bats and a thriving bird population. • Loss of wildlife corridors and connectivity with Country Park. • The area from the rear of Laura Davies Close to the the end of Wymondham Way is dense mainly larch woodland and is a very excellent wildlife habitat seldom visited by the general public, the FOMCP working group have installed bird nesting boxes and hedgehog shelters to encourage wildlife.(This area is not shown on the site location plan),at the western end is shown houses a driveway and parking spaces abutting the boundary hedge this will lead to the dumping of rubbish onto the area, as happens in other areas where houses directly adjoin the park. This will also lead to incursion into this very important wildlife site. • In the revised Melton Borough biodiversity and geodiversity study dated 28 September 2011 page 74 5.2.3 it is recommended that no further development encroaches on the country park and that a buffer zone is established around the north and east of the park the proposed water treatment system is adjacent to the northern boundary. • We live directly adjacent to the development and our garden is regularly visited by muntjac deer, foxes, pheasants and we even have two bats that visit in the evening. A building site would jeopardise this especially as the bats fly over the area proposed for development? 	<p>Local Plan.</p> <p>Appropriate surveys have been submitted and have been independent reviewed by the Council’s Ecological advisor. The consultee did not object to the proposal (see above)</p> <p>As part of the Sustainable Urban Drainage system provisions are to be made to enhance the biodiversity of the site as well as manage the run of rate from the site.</p>
<p>Affordable Housing</p> <ul style="list-style-type: none"> • Houses with 3 or 4 bedroom are going to be unaffordable for local people, if first time buyers. 	<p>Policy requires affordable dwellings on all appropriate sites. The affordable housing proposed for this scheme is for 40% of the development and is considered to meet identified need for the area (both tenure and format).</p> <p>The rest of the site would be open market housing, consisting of a mixture of 2, 3 and 4 bedroom dwellings. It is considered that this is a good mix of properties within the proposed development and is considered to comply with</p>

	Paragraph 50 of the NPPF.
<p>Other matters</p> <p>Melton Mowbray has a unique character which defines it from anywhere else. The ill-considered and rushed developments such as that proposed by Persimmon can only work out to the detriment of the town and potentially cause its history to fade into insignificance as the town's infrastructure, architecture and society become increasingly urbanised and anonymous.</p> <p>There should be no further development until the new local plan is finished.</p> <p>Back door method for the Council to approve future development in the area.</p> <p>Strong opinion and opposition to the development.</p> <p>Loss of view of countryside from Mansion House Gardens and Laura Davies Close.</p> <p>There are brown-field sites and empty areas of land that are suitable for building. Even off Scalford Rd there is the disused area at the Silverdale accommodation that is sitting empty, also the derelict allotment area to the west of Scalford Rd. The abandoned areas at the site of the old Memorial Hospital is an eye sore in the middle of the town, there are also derelict areas off Baldocks Rd. Given that the Premier Inn is no longer to be built north of Norman Way that too has become an empty derelict eye sore that could be considered.</p> <p>If the proposal goes ahead then why can't the "outdoor space for sport" be located adjacent to the existing housing development and also nearer to John Ferneley College? This would minimise the impact of the houses on the current residents and make any entrance/exits for housing be further up Scalford Road and away from the College entrance/exit?</p> <p>Extremely worried about the building noise and dust that will be created whilst the homes are being built.</p>	<p>Noted, an assessment of the proposal in relation to the character of the area is contained within the report.</p> <p>Melton Council has a duty in law to determine all applications submitted and cannot put it aside or reject it until a Local Plan is in place.</p> <p>All applications are determined upon their own merits.</p> <p>Noted, there is a high level of objections and opposition to the proposal.</p> <p>Loss of view is not a material planning consideration.</p> <p>Noted, the application is proposed on the above site and as such is required to be determined on its own merits.</p> <p>Noted, the outdoor play space for sport is located to the north west of the site. It is considered that the location of the space here will soften the development when approaching the town from Scalford Road to the north.</p> <p>Noted, it is considered that the construction phase is temporary and the developer would have a duty of care whilst building.</p>

Other Material Considerations, not raised through representations:

Consideration	Assessment of Head of Regulatory Services
Layout	The layout of the scheme has been designed around the principle of perimeter block streets with strong building lines. The layout incorporates private and public realm. The scheme has been designed to have an active

	<p>frontage to Scalford Road to ensure an interface with the school on the opposite side of the road and a continuation of the linear pattern Scalford Road.</p> <p>Dwellings fronting Scalford Road have been set back to create a green corridor to enable the planting of new street trees and to retain the existing hedgerow.</p> <p>Within the proposed development a dwelling has been positioned central as a key focal point from the access with open space to the frontage. Other buildings have been used to 'turn' corners and use of layout to ensure that the development is not dominated by the highway.</p> <p>The scheme proposes four areas of public open space and amended plans have been submitted at the request of Officers to move the Local Equipped Area of Play (LEAP) to the north west of the site as part of the outdoor play space for sport as its original position to the north east was considered to lack surveillance and would be to near the outfall headwall of the SUDs. The open space includes a narrow green corridor parallel to Scalford Road, a Local Area of Play (LAP), a Local Equipped Area of Play (LEAP) and a large area of open space for outdoor sport. It is considered that the open space provision is acceptable for the size and scale of the development and accords with Policy H10 and H11 of the Local Plan and the NPPF paragraph 73.</p> <p>An amendment to the Sustainable Drainage Scheme and the land to the north east of the site was made after request by the Planning Officer. Changes were made to the outfall headwall to soften its appearance by using Gabion basket grasscrete and the addition of a footpath link to enable the space to be used by resident of the development as additional public open space allowing amenity benefits such as dog walking facilities. The footpath was also seen as an opportunity to link the development for pedestrians and cyclist through to the Country Park and the facilities this has to offer.</p> <p>Overall the layout of the proposal is considered to be acceptable. It respects the character and form of Scalford Road and surrounding area. The proposal incorporates good design features and site provides ample public open spaces in a variety of forms and locations. The layout of the proposal is considered to be acceptable and in accordance with Policy BE1 and the requirements of the NPPF.</p>
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Design	<p>Two of the properties are single storey bungalows, the rest are two storey dwellings. The two storey dwellings are considered to be in keeping with the character of the surrounding area. The scheme does have some two and a half storey dwellings which are considered to introduce some variation in the streetscene.</p> <p>From a design point of view the dwellings are considered to be traditional in appearance and are considered to be in keeping with the surrounding area.</p>
Employment Opportunities	<p>The Authority has a Corporate Objective to create employment for local people. The applicants have been asked if they would agree to offer training hours in the construction industry and training programmes during the development of the site. The applicants have confirmed that they are happy to work with the Authority in this excellent initiative and are willing to accept this to be incorporated into any S106 legal agreement.</p>

Conclusion

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 be sustainable in terms of 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 in a quantity and type that satisfies identified local needs. Accordingly, the application presents a vehicle for the delivery of affordable housing of the appropriate quantity, type and location and it is considered that this is a material consideration **of significant weight in favour** of the application.

There are a number of other positive benefits of the scheme which include highway improvement, biodiversity enhancement with the SUE, links to the Country Park and developer contributions.

A series of issues have been raised which can be addressed without adding weight either in favour or against the application, either because they have not been substantiated or because solutions have been put forward. These are addressed above and the Committee will note the comments made in respect of access/road safety, infrastructure, wildlife interests, residential amenity, drainage, loss of higher quality agricultural land, layout and design.

It is considered that balanced against these positive elements are the site specific concerns raised in representations, particularly the development of the site from its green field state in the open countryside and impact on the landscape. There is also some concern over the lack of 2 bedroom market bungalows and the lack of acceptance of the requested Police Developer contribution.

The Inspector's recommendations in relation to the Core Strategy Examination are a material consideration for this application. On assessment, the concerns raised by the Inspector in relation to in relation to the Core Strategy are not considered to be replicated when applied to this specific site.

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 and protrusion into the open countryside – are considered to be of limited harm in this location due to the surrounding built form, design and layout and careful landscaping.

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

Recommendation: PERMIT, subject to:

- (a) The completion of an agreement under s 106 to secure:
- (i) Contribution for the improvement to civic amenity sites.
 - (ii) Contribution for the improvement to library facilities.
 - (iii) Contribution to highway improvements.
 - (iv) Sustainable transportation
 - (v) The provision of affordable housing, including the quantity, tenureship, house type/size and occupation criteria to ensure they are provided to meet identified local needs
 - (vi) Training opportunities
 - (vii) Contribution to dry side leisure facilities
 - (viii) Contribution to sports pavilion in the Country Park; AND
- (b) The following conditions to include:
- Time limit
 - Materials
 - Landscaping
 - Boundary treatments
 - Retention of hedgerows
 - Levels
 - Surface water
 - SUDs
 - Visibility
 - Gradients to roadways
 - Parking
 - Construction traffic
 - Ecology

Officer to contact: **Mrs J Wallis**

Date: 30th October 2013