



MEETING OF THE  
PLANNING COMMITTEE

Civic Suite, Parkside

12 November 2013

PRESENT:

P.M. Chandler (Chair), P. Baguley, G Botterill  
G Bush, P Cumbers, A Freer-Jones,  
J Illingworth, J Simpson, J Wyatt,

Observing Cllrs: S Lumley, J Moulding and M O'Callaghan

Solicitor to the Council (VW), The Head of Regulatory Services  
Applications and Advice Manager (JW), Planning Policy Officer (PG),  
Housing Policy Officer (SB), Administrative Assistant (JB)

---

D41. APOLOGIES FOR ABSENCE

Cllrs T Moncrieff and E. Holmes

D42. DECLARATIONS OF INTEREST

None

The Chair stated that the speakers representing Melton North Action Group (MNAG) had requested extra time to make their representation which would result in a need to suspend standing orders. They had requested 20 minutes which would likewise be offered to the applicants as their allocation also. Cllr Freer-Jones moved to suspend

standing orders. Cllr Baguley seconded this proposal.

A vote was taken: 7 in favour and 2 against. The motion to suspend standing orders was carried.

#### D43. SCHEDULE OF APPLICATIONS

- (1) **Reference:** 13/00497/FUL  
**Applicant:** Persimmon Homes North Mids Ltd – Miss A Watts  
**Location:** Field No. 3310 Scalford 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.

(a) The Applications and Advice Manager (JW) stated that:

This application seeks planning permission for the erection of 91 dwellings on land to the north of Melton Mowbray in the designated open countryside.

Corrections to report:-

There are a number of errors and typing errors on the report;

- Page 2 – under Policy C13 it should read “planning permission will **not** be granted”
- Page 9 – the stated housing mix is incorrect. The housing mix is as follows:
  - 20 x 4 bedroom dwellings
  - 29 x 3 bedroom dwellings
  - 6 x 2 bedroom dwellings
- the affordable mix is:
  - 14 x Low cost units
  - 18 x Affordable Rent
  - 4 x social rent

The mix of the affordable units is as stated in the report.

- Page 26 errors in the conclusion in the 4<sup>th</sup> paragraph this should state SUDs, **link** and not SUE. In the 7<sup>th</sup> paragraph down there is repetition of the words “in relation” and the second set should be deleted.

Updates:

Since publication of the report the following information has been received;

Letter from Rt Hon Alan Duncan MP addressed to the Development Committee, this has been circulated to Members of the Committee.

Cllr Botterill stated he had not had this opportunity and requested it be read in full.

Rt Hon Alan Duncan's letter was received and read in full and included the main points:

- Concerns raised by his constituents regarding the application
- The site is exactly in the area of contention that led to the withdrawal of the Core Strategy
- Incongruous if the application be approved before the presentation of the new Local Plan
- It is clear the Council did not agree with the assessment of the Inspector but if reconsidering its strategic housing plans then this controversial site should not be approved.

Cllr Botterill suggested that submitting information so close to the meeting date did not offer him full opportunity to consider it due to lack of time available to him.

The Head of Regulatory Services stated that the information was the presentation that MNAG speakers were putting before the Committee and submitting the day before the meeting was procedurally acceptable. He went on to recommend that any Cllr who had any question at any time about the updates question the Officers during the course of the meeting.

An email from one of the Ward Councillors, Cllr Posnett, who is not able to be present this evening, the main points include:

- Apologies for not being able to be present
- The Members must make their determination based on their interpretation of the facts presented by Officers and sound local knowledge presented by local people
- The scheme benefits do not outweigh the harm to the appearance of the countryside and therefore can be refused as contrary to policy OS2
- It is wrong to allow piecemeal development when there are no improvements to the local infrastructure
- Traffic on Scafford Rd is already very heavy especially at peak times and cannot sustain further increases in cars

- Scalford Rd is narrow and the pavements are dangerously narrow at certain points
- Extra strain will be placed on Norman way junctions at Scalford, Nottingham and Asfordby Rd and other local roads
- It is relevant that a request for a post office and public house on Scalford Rd were refused on grounds of traffic impact
- The Highway Authority have no objection stating that the proposal will not impact highway safety however I disagree with this view
- The increases in traffic will have an adverse impact on the roads locally and the quality of life for many residents
- The applicant is making an opportunistic proposal that will not contribute towards local infrastructure
- If permitted this application will open the door to other significant development in the countryside
- I urge the applicant to withdraw the proposal until such a time as when the local people have had a chance to produce a plan for housing.

The Office received a petition on Monday 11<sup>th</sup> from Melton North Action Group with 1082 signatures on it. The petition states:

*'We the undersigned, oppose any development on land earmarked for the northern SUE in the Core Strategy until Melton Borough Council has produced its Local Plan. We believe applications to build houses on this land to be unsustainable developments and in direct conflict with the findings and recommendations of the Planning Inspector at the Core Strategy examination in March 2013.*

In response to the additional material it is considered that these issues have been sufficiently addressed within the report.

Update to the report in respect of the travel plan on page 4 of the report. The applicants have stated that they are willing for the monitoring fee to be included in the S106 legal agreement. It is considered that this should be included in the recommendation and form part of the legal agreement.

In respect of the grounds maintenance contribution request, page 12 of the report, the sum has been revised to a total adoption cost of £221,513.06. The applicants have confirmed that they are happy to agree to this and its inclusion in the legal agreement. It is considered that this should be included in the recommendation of the report and form part of the S106 legal agreement.

Comments have been received from the applicant in respect of the report:

- With regards to Developer Contributions, in respect of the Police the applicants have stated that Persimmon are not refusing to pay the police contribution and if the Council feel that the police request is compliant with the tests set out in the regulation 122 of the CIL regulations and that the

development should not be permitted without the police contribution being included in the S106 then they would be willing to agree to such an obligation.

- In relation to the affordable housing, the applicants have stated that having discussed the affordable housing provision with a registered landlord, Muir, they wish to amend the tenure of the affordable housing to be 18 affordable rent, 4 social rent and 14 70% of Open Market Value Units in perpetuity.

In response to these issues:

- Police – The comments of the applicant are noted. The Borough Council does not dispute that some of the contributions requested by the Police are legitimate but questions the validity of others. Provision of facilities to accommodate the projected expansion of services is considered appropriate; however, the expansion of the service itself is not. Therefore, the items commonly associated with the day to day running of the service such as equipment and vehicles are discounted, these can be funded through the Council Tax precept. In a similar vein, items such as medical equipment at a doctor's surgery or books for a school would not be considered reasonable whilst a new surgery or school would be considered acceptable. Therefore, it is my view that as the request contains some elements which are not considered to be CIL compliant the request by the Police is not CIL compliant and should not be included as part of the S106 developer contributions.
- Affordable Housing – the affordable housing remains at 40% but the tenure breakdown has now changed. In order to ensure the delivery of the units it has been agreed with the registered provider (Muir) that they will deliver the 22 rented units and the remaining 14 units will be discounted homes for sale, in perpetuity delivered by Persimmon. It is considered that the tenure breakdown is acceptable and delivers the required level of affordable housing needed.

Turning to the application itself:

The application proposes the erection of 91 dwellings, a mixture of 2, 3 and 4 bed properties. The application includes outdoor play space to the north adjoining Scalford Road and a local equipped area of play, Local Areas of Play a SUD system to the east on land to the boundary of the Country Park and a footpath along the SUD system.

The application lies within the designated open countryside. Outside the town envelope development is strictly limited in accordance with Policy OS2. It is considered that residential development of this site does not comply with the development plan policy OS2. Planning permission can only be granted if there are material considerations considered to be of such significant to outweigh this

position. This needs to be weighed against the provisions of the NPPF particularly in relation to the guidance on housing land supply and affordable housing which is set out in the report.

I would draw your attention to some of the key issues raised in respect of this application:

Highways – the application proposes a junction which complies with highway standards, a new footway along Scalford Road and contributions to traffic signal sequencing to mitigate against the impact.

Archaeology – a number of objections have referred to the Core Strategy examination and the value of quality of the heritage landscape. Part of the site has been noted for its archaeological 'potential'. However, as stated in the report (page 6) further field evaluation has been undertaken during the course of the application and this evaluation has demonstrated that the site has a low potential for the survival of archaeological remains.

Ecology - biodiversity has been raised. Objectors to the proposal have stated that the site is of superior biodiversity. The slide behind me is an extract from the Melton Biodiversity and Geodiversity Study which shows areas with species records and designated sites. It can clearly be seen that there are no designated sites or species in the proposed development area. The application has been assessed by the LCC Ecologist who have raised no objection to the proposal.

Affordable Housing - the application proposes 40% affordable housing which is distributed throughout the development. Affordable housing is one of the Council's key priorities and the scheme presents affordable housing in a quality and type that satisfies identified local need. This is considered to be afforded significant weight in favour of the application.

Landscape – strong opposition has been expressed in relation to the impact of the proposal on the landscape. Detailed on page 16 of the report, the judgement on the basis of highest quality and sensitivity of landscape surrounding the town was in the context of the 2006 landscape report. The application is located in Zone B. Zone B is considered to be of high/medium sensitivity. The site occupies a small element of Zone B and does not occupy the higher northern parts referred to in the study. The site also needs to be considered in relation to its context in respect of the surrounding land uses which Members will have experienced from the site visit. The site adjoins the edge of the built form and is enclosed to the west by the school and partially to the east by an existing housing estate. It is not considered that the proposed development protrudes beyond the existing built form.

Agriculture – A further issue raised was the site being on high quality agricultural land. The map displayed clearly shows the site in sub-grade 3b which is of lower quality. The NPPF refers to grades 1, 2 and 3a as being considered the best and most versatile agricultural land and this site does not fall in these categories.

SUE – a large body of the representations concern the Inspector’s conclusions into the Core Strategy Examination and proposed SUE. The Core Strategy did identify a broad direction of growth and it is highly likely that this site would have been incorporated into the urban extension. However, the Inspector’s was considering a broad proposal for approximately 1000 houses, with a very much larger land take, not just this site. The Inspector’s concerns related in particular to landscape, agricultural land and biodiversity which I have commented upon and in the case of the latter 2, it does not affect them. Members are invited to consider if the landscape issues will produce the same harm as the Inspector was concerned with when considering the wider ‘direction of growth’.

It is also necessary to recognize that our task on this application is different than was the Inspector’s on the Core Strategy. Ours is to judge whether the application constitutes ‘sustainable development’ in its own right, the Inspector was concerned with a comparative exercise considering if the Strategy – including the growth area - was the most sustainable of the options.

Layout/Design – considered to be acceptable, well designed picking up the linear form and landscaping of Scaford Road, acceptable distance separations and more than adequate areas of open space and public amenity space. Design is considered to be in keeping with the surrounding area.

The key issue for the Committee is whether this proposal constitutes sustainable development. Following the approach of NPPF paragraph 14, this application presents a balance of issues; these include significant benefits when assessed against the NPPF in terms of housing supply and affordable housing. These need to be weighed against the development of a green-field site and protrusion into the open countryside. It is considered that the harm in respect of this is limited in this location due to the surrounding built form, design, layout and careful landscaping and the Committee is invited to consider this balance.

The application is recommended for approval as set out in the report with the additional developer contributions referred to in respect of the travel plan and grounds maintenance.

(b) Mr Beech and Mr McDonald, representing MNAG, were invited to speak and stated that:

- They speak against the application
- They have studied the application, the documents and the officer’s report, noting that the application recommended for approval; however this does not mean that it should be granted
- The Committee papers are contradictory in places

- The application has paraphrased the NPPF and quotes the lack of the 5 year land supply in a misleading way; not taking into account recent housing proposals which would have an impact on their findings, also the officer's report does state that the lack of a 5 year housing land supply does not necessarily mean that the application has to be approved.
- The officer's report also contains information regarding the 5 year land supply however noting the withdrawal of the Core Strategy; this shows that Officers can be wrong.
- MNAG have engaged a Planning Consultancy to prepare accurate information.
- This development is unsustainable due to the material considerations that surround the application
- The following are material conditions and should be given the appropriate weight): local and national planning policies, emerging new plans that have been through public consultation (such as the Core Strategy and the evidence base), the SUE proposal, the proposal by Davidsons to the south of Melton and development of the King Edward's site.
- Also important material considerations are Inspectorate guidance and advice including the findings of the Inspector's recommendations following the examination of the Core Strategy, which accepted the evidence base prepared by Council as robust and credible. This evidence base is clearly relevant to this application and should be carefully considered by Members.
- The size of the proposal is irrelevant and the Inspectors recommendations and guidance are as important to this application as for the Core Strategy. Also, approval at this site would set a precedent of not considering those recommendations on other applications.
- The evidence base found that the north of the town is the least accessible area for housing growth, it is the least conducive to walking and cycling
- The north is not accessible to local facilities used every day such as shops, newsagents, post office etc. the John Ferneley College is the only facility nearby, this means that accessibility is poor
- The evidence base notes acceptable walking distances; the site is too distant from the town centre to be acceptable according to these figures
- The site therefore has poor accessibility, especially for the elderly, the young, people without cars and could lead to social exclusion
- Public transport links are poor and likely to worsen in view of recent news from the county council and the provision of bus services
- Development should not be considered until public transport links have been improved
- The Council should focus significant development in places that are or can be easily accessed

- The applicant's affordable housing statement has contradictory and confusing – do the Cllrs know what they will be voting on?
- The density of the proposal exceeds recommendations in the Councils own policies
- The access to the site is badly placed directly opposite the school – it is an accident waiting to happen
- Regarding drainage; the areas to the south of the site are lower than the sustainable urban drainage system and the balancing ponds (SUDS)
- The visual impact will be worse than identified as some new dwellings will present a flank wall and not meet minimum separation distances to existing dwellings
- This development will increase traffic congestion in the town
- The applicant's own Transport Assessment confirms that more than expected accidents happen on Scalford Rd and their assessment was undertaken on a Thursday (not a busy day)
- The statement also accepts that the road is already over capacity
- Traffic queues stated in the Assessment are quoted as at worst between 25 or 26 vehicles, which is nonsense and actually much worse, and near 1km in length regularly
- The changes to the traffic sequences *could* make an improvement to the congestion, but this is not guaranteed and this is unacceptable
- Sainsbury's has had an impact on the traffic and their report does not take this into account nor the other developments now proposed which will also have an impact
- A proposal for a public house and post office on Scalford Rd were refused on grounds of traffic concerns
- The County Highways Department did not object to the application but MNAG do not agree with their comments
- It has been suggested that Members can only refuse on traffic grounds if the effects are 'severe' but question what the applicant would consider to be 'severe' traffic issues that could lead to a refusal: injury or death?
- The application should be refused in order give the opportunity for an Inspector to consider it. The Council would defend their decision which would be a fair and democratic way of spending Council Tax of the petition signatories
- Petition raised over the Core Strategy had over 2400 signatories; the petition handed in on the 11.11.13 had 1082. The Cllrs should listen to the people to the people they represent
- Safety record on Scalford Rd is poor; there is a time bomb ticking in proximity of the school
- When the first death occurs the parents and relatives will come looking for

answers to the Cllrs

- Traffic and pupils cause impact on local residents everyday already.

Cllr Freer-Jones asked about the consultation on the development to the south of Melton that MNAG stated, as a resident in the south she had not been consulted. She went on to ask about the distances that children walked to school from the town to the College every day and if they were capable of doing that then surely some residents would be capable of doing the same walk into town contrary to MNAG's position on accessibility to the town from the site.

MNAG replied that the Core Strategy had considered the directions of growth and the Council had consulted on the options to the south and went on to say that school children walking to the College would be considered a 'commute' and therefore not relevant to their argument regarding accessibility of the site.

Cllr Simpson asked for clarification on the petition handed in as she commented that the one collected against the Sustainable Urban Extension (SUE) to the north, had been misleading quoting that it was against over 3000 houses and not the approximate 1000 that the SUE had proposed.

MNAG replied that the original petition was delivered prior to the examination of the Core Strategy and that this petition was concerning this application only.

The Applications and Advice Manager read the terms of the petition as for clarification.

Cllr Botterill asked whether the speakers understood that the withdrawal of the Core Strategy, which MNAG had opposed, the Council were now more likely to receive piecemeal applications such as this which were more difficult to refuse.

MNAG replied that they had made attempts to discuss the siting of the SUE with the Council citing the data from the evidence base but the Council had not engaged with them. MNAG went on to say that they needed a strong Council with strong leadership: one that would be able to say no to development.

The Applications and Advice Manager asked for confirmation regarding the numbers quoted by MNAG, specifically the 171 houses mentioned in their correspondence referred to in the presentation.

MNAG replied that this figure was obtained from the SHLAA and refers to the development outlined within it, including developments proposed off Scalford Road

elsewhere.

The Head of Regulatory Services sought clarification that these figures were being forwarded in the context of the road safety issue.

MNAG replied that transport assessment did not consider the impact of the other developments recently proposed in the area and so was not considering the full picture.

(c) Mr Hainsworth, Mr McDonald and Mr Mackley, on behalf of Persimmon Homes, were invited to speak and stated that:

- The news last week discussed increases in the population and shows that the need for houses is very real
- The Inspector of the Core Strategy wanted to see 200 houses built every year on the Borough but a search on the web revealed that only 2 new houses were available to buy currently
- The Inspector's reason for finding the Core Strategy unsound was largely due to concerns that most of the development was being focused in one area so the Council now has no Core Strategy and no 5 year land supply
- It will take time to develop a plan for the Borough but doing nothing is not an option
- NPPF states that development should be placed in sustainable locations; Melton Mowbray is the most sustainable location in the Borough, the site is close to the school, has good bus links to the town and is only 1 mile to the centre
- Many of the members of MNAG live in houses that were once green fields and they need to understand that the development proposed is on a different scale to the one that was proposed in the Core Strategy
- This site will only make a small contribution to the need stated by the Inspector but it will be welcomed by the people waiting to be housed in the area
- Concerns raised regarding the loss of agricultural land do not take into account that the quality of land is classed as 3b agricultural i.e., low. Also the impact of the development on the landscape does not take into account that the school already dominates the skyline in the area
- Shop keepers in the town will welcome the extra residents bringing new custom to the area
- The officer's report states significant benefits to this proposal
- This proposal offers a strong contribution to social housing; especially as the tenure mix aims to meet diverse needs identified by the Council and cheaper homes make them more accessible to wider numbers of people

- Persimmon are in final stages of talks with a Registered Social Landlord to manage the social housing proposed
- The figures have changed during the application process as pointed out by MNAG, but these increases are in response to meeting local needs as identified by the Council
- The site is approximately 3 hectares and is adjoining existing development
- The type of site offers an opportunity for a good housing mix
- The development has been designed with central focal points, buildings used to 'turn corners' and stop roads dominating the layout as set out in good practise
- An attractive green buffer reflects local the character at the entrance of the town and landscaping limits the impact of the development on the dwellings to the south of the site
- The provision of the SUDS provides an opportunity for improvements to the biodiversity in the area
- The play-areas will improve the local provision for children and a link to the country park will improve accessibility for local residents
- The officer's report notes that the proposal has good design features and respects local character.

The Chair asked for confirmation regarding the access to the country park

Persimmon replied that he believed that the access had been secured and was noted on the plan before the Members

Cllr Bush asked for confirmation on the house numbers for sale in the area as he understood that there were more than 2 properties available.

Persimmon stated that he was referring to the number of *new* homes available in the area not the total and he did not intend to mislead the Member.

Cllr Freer-Jones asked if any other environmental features such as solar panels were included in the design.

Persimmon replied that there were no requirements to build to specific codes but that the latest Building Control regulations were being met which includes the better insulation standards.

Cllr Cumbers asked about employment opportunities generated by the development.

Persimmon replied that they encourage apprenticeships and work with local colleges where possible.

Cllr Botterill asked why Persimmon had not proposed a ground source heat pump as surely at new build stage this would be the best time to implement such environmental features.

Persimmon replied that ground source heat pumps are not always appropriate and Persimmon do not include them as a standard feature.

(d) Cllr Lumley, a Ward Councillor for the area, was invited to speak and stated that:

- The application is proposed in the wrong place and the reasons against it outweigh the benefits
- The Cllrs had received huge numbers of correspondence against the application
- Although there is a shortage of housing, that part of town has poor infrastructure
- The new houses will possibly bring a further 200 new cars to the area which will have a big impact on Scalford Rd
- The County Highways notes that the road is already over capacity and not built for that amount of traffic
- Concerned about the junction at Scalford Rd and Norman way which will be adversely impacted
- The Inspector noted the excellent quality of agricultural land and the impact on the country park of proposed SUE and this proposal would have the same effect.

The Chair corrected Cllr Lumley, stating that the agricultural land designation on the application site is not protected from development as it deemed poor quality.

Cllr Cumbers asked about expected ecological impact on the country park from the development.

Cllr Lumley stated that he was concerned there would be adverse impact on the diversity of species.

(e) Cllr O'Callaghan, a Ward Councillor for the area, was invited to speak and stated that:

- This application was the thin edge of the wedge
- The number of houses chosen is done purposely not to attract infrastructure costs on the developer
- This is creeping incrementalism and increases the numbers of houses while not improving the facilities for people

- The Council is without a Core Strategy and is now vulnerable to opportunistic development
- The NPPF dictates that development should be in sustainable locations but as the Inspector who considered the Core Strategy stated this part of town is not sustainable
- The Members should reject this application and wait for others to come along in better areas
- The site is in the open countryside and brown field areas should be considered first, the town envelope should be protected.

The Chair reminded Members that the Council was obliged to determine application put before it.

Cllr Cumbers asked about the developer contributions to infrastructure and noted that the buyers end up paying for the extra costs in the end, which makes properties less affordable.

Cllr O'Callaghan agreed that buyers ended up paying for the infrastructure improvements through the cost of the houses but that this did not mean that mitigation of the damaging effects of development should not be required.

Cllr Simpson noted that the Inspector's concerns regarding the Core Strategy and the SUE were largely due to the fact that all the development was proposed for one area and that it should be balanced around the town.

Cllr O'Callaghan stated that he did not rule out development to the north of the town but that this application was in the wrong place as it is open countryside. He reiterated that brownfield sites should be used first.

The Chair suggested that the meeting be suspended for 15 minutes to allow the officers' time to gather their comments regarding the speakers' presentations. The meeting recommenced at 19:40. The Chair stated that the rest of the meeting would not be recorded due to a technical difficulty with the recording equipment.

The Head of Regulatory Services replied:

- Melton's 5 year land supply is calculated according to government guidance and takes into account recent developments referred to in MNAG's statement; but the figures show a shortfall in land supply
- He could not agree with MNAG that the Core Strategy can be seen as emerging policy and therefore a material consideration; it has been

abandoned and work is beginning again on the whole plan process.

- Regarding the new sites coming forward for development and their impact on the 5 year land supply: at King Edward VII – that housing proposals had already been taken into account in the calculations for the 5 year supply, the development recently noted in the press to the south of Melton is green field, not part of an application nor a Local Plan allocation and as such cannot be included in 5 year supply calculations.
- Regarding the question if other sites would be better suited for this proposal – the Members have to consider this application as it is put before them. The Inspector was considering the position of housing within the Core Strategy, a very different process to that being asked of the Members currently
- Regarding listening to the Inspectors comments from the examination process – page 12 of the officer's report asked that Members note the points made and drew attention to the fact that the Inspector was considering a general direction of growth not a specific site.

The Applications and Advice Manager replied:

- The County Highways comments were summarised in the officer's report, noting how the proposal was considered
- The same department also commented on the Sainsbury's application and MNAG's assumption that they were unaware of the site and the possible effects from this were mistaken
- Regarding the drainage on the site and the position of the SUDS system – the southern site does not rely on the SUDS system for drainage. The Environment Agency and Severn Trent Water have not objected to the application and a drainage scheme will be submitted prior to commencement on site should the application be approved
- Regarding flooding of the Country Park - reports received indicate that there will be no adverse impact on the Country Park and the SUDS system will not increase flooding
- Regarding ecology – reports on the diversity and frequency of species in the area show that not protected species are noted in the location of the proposal, the County Ecology department have not objected to the application, reports suggest that the SUDS system will increase biodiversity and the wildlife in the country park will not be adversely affected
- Regarding affordable homes – there were errors in the planning statement which have been corrected and this was clarified in the opening report
- Regarding the footpath around the SUDS–seen as an improvement to local amenity, the link to the country park has not been finalised but the opportunity is available for consideration and is believed to offer an improvement to

accessibility for the public to the park

- Regarding the officer's report – it should be noted that the positive aspects of the application have been noted but also any identifiable negative issues are also noted
- Regarding traffic signalling – the applicant's traffic statement states that improvements to the signalling could mitigate some traffic concerns and this was noted on page 19 of the officer's report. The County Highways department have not objected to the application and did not raise concerns regarding signalling
- Regarding traffic patterns and sustainability of the site – is a matter for Members to consider but it should be noted that traffic patterns are not solely a quantitative exercise
- The NPPF states that proposals need to reduce the need to travel, not eliminate the use of the car
- Regarding the green field location of the proposal – the report clearly states that this application site is in the open countryside, but sustainability has to be considered as pertaining to social, economic and environmental issues
- The key issue for Members to consider was if the proposal is sustainable development.

The Head of Regulatory Services added that Members needed consider all the material considerations and if any further clarification was needed at any point, then officers could answer any questions. He went on to ask if Members wanted to clarify any elements of the application.

The Chair asked the Housing Policy Officer for clarification regarding the affordable housing targets.

The Housing Policy Officer replied that in order to meet need then a substantial percentage of houses had to be affordable, however in order to maintain proposal viability the highest percentage that could be asked for was 40%. This number had been agreed on this application.

The Chair asked members to consider the sustainability of the development proposed.

Members discussed the location of amenities and their distance to the site, the location of supermarkets in relation to the site, the land-use bordering the site, the provision of affordable housing, the level of impact of traffic on Scaford Rd. They agreed that the negative aspects of the application had to demonstrably outweigh the benefits if it was to be refused.

A Member asked about the lack of the 5 year housing land supply and the transport assessments undertaken by both the applicant and the County highways department.

The Applications and Advice Manager replied that the County Highways department had assessed the application regarding safety issues and had not made an objection. She went on to say that the NPPF does not define 'severe' regarding traffic impacts and that Members should note the difference identified in the transport assessments between highway safety and traffic impact.

The Head of Regulatory Services replied that the NPPF states that Council's not meeting a 5 year land supply target persistently would be required to add an extra percentage of land to be made available until it could be shown that the shortfall has been met. He went on to say that the Council had not met the targets for the last 18 months and this had to be considered also.

Cllr Wyatt **proposed to refuse the application** as the site is in the open countryside and is contrary to policy OS2.

Cllr Illingworth **seconded the proposal to refuse the application**. He went on to say that the proposed development did not contribute financially to local infrastructure improvements, the town envelope should be protected and that developers should be encouraged to get better results for Melton. He suggested that more time was needed to receive more consultation from reference groups and stakeholders on the placing of development.

A Member stated that this was not a rerun of the Core Strategy and that Members had different aspects to consider than the Inspector had, she went on to say that the application had to be considered on its own merits. She believed that the site was not that far from the town to stop people from walking to amenities and that more houses were needed due to increased demand. She noted that the agricultural standard of the land was low and statutory consultees had raised no objections. A link to the country park was welcome and the new footpath would benefit all pedestrians and improve safety. She noted that the application had many positive points particularly meeting an identified local housing need. Bus services can be improved if the public and Cllrs make a successful case for this and this had happened in other areas of Melton.

The Head of Regulatory Services replied to Cllr Illingworth that he was aware of many occasions when the village and town envelope had been breached when Members had judged it to be appropriate. He went on to confirm the reason for refusal and asked if the proposer wanted to add anything further to the single one stated.

The Chair enquired if any larger applications had been approved outside of VEs?

The Head of Regulatory Services confirmed that some major applications had been approved by the both the Council and Inspectors at appeal, including one at Asfordby and one at Bottesford.

Cllr Illingworth noted that he would like to see more reasons for refusal adding and would amend the proposal on the table should he receive a seconder, otherwise he would continue to second the proposal to refuse as proposed by Cllr Wyatt.

A Member commended the Officer for their report and stated concerns about traffic issues that the application could exacerbate.

No seconder for an amendment to the refusal was forthcoming therefore Cllr Illingworth confirmed his seconding of Cllr Wyatt's proposal.

The Applications and Advice Manager confirmed the reason for refusal with Cllrs Wyatt and Illingworth; they agreed.

A vote was taken: 4 in favour of refusal and 5 against refusal.

Cllr cumbers **proposed to permit the application** with the understanding that the conditions be confirmed prior to issuing the Decision Notice.

The Applications and Advice Manager confirmed that the condition wording could be approved by the Chair prior to the distribution of the Notice.

Cllr Baguley **seconded the proposal to approve** the application stating that retailers in the town would welcome more business.

The Applications and Advice Manager noted that proposed content of the Section 106 agreement had been amended and these details were stated in the report. She asked that the Cllrs support these alterations as part of the approval proposal.

Cllrs Cumbers and Baguley agreed.

A Member asked if it would be possible to ensure that the footpath around the SUDS be wheelchair friendly.

The Applications and Advice Manager confirmed that this could be conditions as part of any permission.

Cllrs Cumbers and Baguley agreed.

A vote was taken: 5 in favour of permit and 4 against permit.

**DETERMINATION: APPROVE, for the following reasons, subject to the conditions and the completion of a s106 agreement as set out in the report.**

**Reasons;**

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. 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.

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.**

---

The meeting commenced at 6.00 p.m. and closed at 8.35pm.