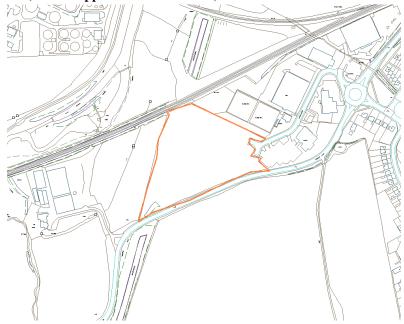
Committee Date 18th October 2012

Reference: 12/00334/REM

- Date Submitted: 21.05.12
- Applicant: Mr A Ashford Westleigh Developments Limited
- Location: Land West of Bowling Green, Leicester Road, Melton Mowbray

Proposal: Development to provide buildings for B1 use within a Business Park setting (Outline approval 10/00190/EXT)



Introduction:-

The application site lies within the town envelope of Melton Mowbray and occupies an important area to the north of the Leicester Road (A607). The site benefits from outline planning permission to develop the site for business units. This 2.2ha site is currently an open paddock area, roughly triangular in shape and is situated between Leicester Road and the railway line and is served by the existing road; Bowling Green, that accesses the Melton Mowbray Building Society head office and the Baptist Church. The outline permission related to the 'principle' of development and the means of access in to the site from the public highway, with all other matters being reserved for future consideration.

This reserved matters application seeks consent for the appearance, layout, landscaping and scale. The business park will have 11 units of various sizes, each with its own parking areas. It is proposed to phase the development to meet the demand of the end user and the variation of condition application is currently pending decision to allow this to happen.

It is considered that the main issues relating to this proposal are:-

- Compliance with the Development Plan Policies and the NPPF
- Impact upon highway safety
- Impact upon the character of the area

The application is to be considered by the Development Committee due to the previous involvement with the site.

Relevant History:-

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

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

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

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

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

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

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

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

Planning Policies:-

Melton Local Plan (saved policies):

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

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

Policy R6– Allocates 1.9ha land at Leicester Road, Melton Mowbray for recreational purposes.

The Melton LDF Core Strategy (Publication) Development Plan document: Seeks to focus development in Melton Mowbray in order to promote sustainable development. It is expected that a high proportion of new jobs will be in Offices (600); an increase of 20% for Melton will see an increase in demand for office space and seeks to provide about 11,000 sq metres of additional office space.

There are a number of policy objectives contained within the Core Strategy which apply to this proposal and will attract some weight given its close reflection to the NPPF.

<u>CS7 – Employment and Economy</u> seeks to increase the boroughs economics needs through encouraging a greater presence of high knowledge-based businesses. Provide sustainable development opportunities for small scale, high quality business units and offices. Positively respond to sustainable developments which improve skills and provide higher value jobs.

<u>Policy CS9 Rural Economic Development</u> seeks to support and help regenerate the Boroughs rural economy. Through allowing small-scale expansion or intensification of businesses in the countryside, which are not detrimental to their rural location. In regards to tourism and leisure activities they should be sensitive to the character of the area.

East Midlands Regional Plan

Policy 1 of the Regional Plan seeks to ensure that development within the east midlands is sustainable. It sets out Regional Core Objectives which should be met through LDFs and planning applications. The following parts of Policy 1 should be taken into account.

e) To improve accessibility to jobs, homes and services through the:

- promotion and integration of opportunities for walking and cycling;
- promotion of the use of high quality public transport; and
- encouragement of patterns of new development that reduce the need to travel.

h) To reduce the causes of climate change by minimising emissions of C02 through:

- maximising `resource efficiency' and the level of
- renewable energy generation;
- making best use of existing infrastructure;
- promoting sustainable design and construction; and
- encouraging patterns of new development that reduce the need to travel.

Policy 2 promotes better design including design and construction that minimises energy use, uses sensitive lighting, improves water efficiency, reduces waste and pollution, incorporates renewable energy technologies and sustainably sourced materials wherever possible, and considers building orientation at the start of the design process. New development should also take account enhancement of biodiversity and landscape quality.

Policy 3 of the regional plan sets the approach to distribution of new development across the East Midlands. It concentrates new development and economic activity in and adjoining existing urban areas. At the regional level this sees a major proportion of the new growth required being concentrated in and adjoining the three conurbations of Leicester, Nottingham and Derby. Development of a lesser scale is directed to Sub-Regional Centres such as Melton Mowbray, whilst other settlements should receive development to meet their need. In assessing the suitability of sites development priority should be given to making the best use of previously developed land and vacant or under-used buildings in urban or other sustainable locations.

<u>Policy 19</u> focuses employment development on the areas of greatest identified need. The Policy priorities the Sub Regional Centres as the primary location for new economic development (Melton Mowbray) as says that development should be located in accordance with the urban concentration strategy as set out in Policy 3.

The National Planning Policy Framework was published 27th March 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 offers advice on the weight to be given to 'emerging' policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

The NPPF introduces three dimensions to the term Sustainable Development: Economic, Social and Environmental: It also establishes 12 core planning principles against which proposals should be judged. Relevant to this application are those to:

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

On Specific issues relevant to this application it advises:

Building a strong competitive economy

- Planning should do "everything it can" to encourage growth, not prevent it and should plan proactively to encourage economic growth
- Significant weight should be given to the need to support economic growth
- Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system

Ensuring the vitality of Town Centres

- Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres.
- Allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available.
- When assessing proposals for retail, leisure and office development outside of the town centres which are not in accordance with an up to date Local Plan an impact assessment shall be required detailing:-
 - the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
 - the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made
- When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

Require Good Design

• Not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to

certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Securing high quality and inclusive design goes beyond aesthetics considerations and should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design.
- In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

Sustainable Transport:

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

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:-

conditions. The outline planning permission requires the provision of bus stops on Leicester Road, a pedestrian crossing point and road widening (as shown generally on the submitted plans) with a pedestrian link provided within the site to the bus stops. However, the County Council are currently in the process of consulting on changes to the bus	Highways Authority – No objections subject to conditions. The outline planning permission requires the provision of bus stops on Leicester Road, a pedestrian crossing point and road widening (as shown generally on the submitted plans) with a pedestrian link provided within the site to the bus stops. However, the County Council are currently	to each unit which will have their own separate area and parking allocation. The spinal road with turning head will be adopted with the access roads
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development without the bus stops and changes to such time there is a requirement for a bus stop		
the road layout, although until such time as the promote sustainable modes of transport to the sit		
		-
		The reserved matters application cannot be used to
outcomes known, it is not possible to give a alter or delete conditions applied at outline stage. definitive answer on this issue. It is therefore		
		The applicants have not provide a cycle/pedestrian link from Leicester Road in order to deter cars
e e		pulling up along the A607 to drop off visitors to the
	plaining autionty.	business park, preventing obstruction along the
	In order to provide an adoptable pedestrian footpath	
		between buildings to provide a link should one be
main spine road serving the site will need to be required in the future.	1 1 7	
designed to adoptable standards.		
	<u> </u>	Noted. Landscaping is a matter for consideration
	They are placed to see that the evicting seels size	

features on the site boundary are to be protected and	adjacent Leicester Road and within the site
enhanced throughout the development. They welcome the inclusion of native planting throughout the site and would encourage the long-term management of these features to increase the biodiversity value of the area.	boundary, around each unit. Due to the prominent location along a main arterial route into the town, landscaping is a key feature of the success of providing a development which would have its own distinctiveness in this part of the town, whilst maintaining a rural feel. The existing boundary hedges are to be retained as part of the landscaping proposals and will be enhanced with additional landscaping, to include grass corridors, tree and shrub planting.
Severn Trent Water (STW) Recommends acceptance of the drainage scheme.	The outline approval had a condition imposed requiring details of the foul and surface water management. The application has been supported with a drainage strategy to address STW's condition
	and incorporates a Flood Risk Assessment (FRA) for the site.
	Surface Water Surface water from this development is to drained via a new Section 104 gravity system into a bespoke surface water pumping station located to the north west corner of the site. This sewer will also be subject to an easement as per Sewers for Adoptions 6th Edition guidelines. Surface water discharge rates are to be restricted to agreed levels as per Greenfield runoff (5.0l/s/ha), with the additional surface water volumes retained on site. The proposed attenuation is created using a voided stone tank with a regulated flow arrangement within the private parking areas and oversized pipe system as part of the Section 104 arrangement. The system has been modelled to 1 in 100 year storm event including 30 percent climate change and has obtained approval from Severn Trent Water.
	Foul Drainage Foul water from this development is to drain via a new Section 104 gravity system into an existing 150mm diameter public foul sewer located to the north east of the site within 'Bowling Green' (MH 1301). This in turn discharges into an existing foul sewage pumping station. This station and associated rising main will need to be assessed for capacity to ascertain any potential upgrading works.
	Severn Trent Water are satisfied with the information submitted and recommends that the condition is discharged.
Environment Agency – no objection	The Environment Agency did not previously comment on the outline application
Recommends that additional sustainable techniques are considered.	comment on the outline application (07/01012/OUT) and therefore is not in a position to make any formal recommendations for the reserved matters application. However since the grant of the outline approval there have been a number of

	changes to planning policy (PPS25 and NPPF) and the Flood and the Water Management Act 2010 was given royal assent and these are considered to be material considerations in reducing flood risk from development. The site is over the threshold of one hectare and has been supported with a Flood Risk Assessment (FRA) in line with the NPPF Technical Guidance. It is stated that the site's infiltration is not good and has a high water table level, therefore the use of soak ways has been discounted. The surface water run off will be managed on site via the pumping station (see STW above) and the run off rate has been stated to be no greater than the current Greenfield run off rate, which ensures that the development will not increase flood risk from the site.
	Whilst priority has not been given to the use of sustainable drainage techniques the surface water run off will be no greater than the existing run of rate that the field creates. It is considered that the drainage strategy for the site is satisfactory and the construction of a pumping station within the development ensures that flood risk has been minimised.
Network Rail – No objection.	Content noted and forwarded on to the applicant.
Subject to satisfactory outcomes for	
Drainage – no run onto the railway	All drainage will be dealt with on the site via the pumping station as agreed by Severn Trent Water.
Fail Safe Use of Cranes	
Excavations/Earthworks – no interference with the integrity of the railway bank. Should works be required close to the bank a method statement should be submitted and approved prior to commencement of works.	
Security of Mutual Boundary – Maintained at all times. Temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.	
Armco Safety Barriers – To prevent damage to inside fencing from vehicles rolling into area.	
Fencing –The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall	The existing boundary fence to the Railway is palisade fencing. No further boundary treatment is proposed.

must not be removed or damaged.	
Method Statements/Fail Safe/Possessions – May be necessary where works can not be carried out in a fail safe manner. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.	
Trees/Shrubs/Landscaping - Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.	Landscaping matters are a consideration for this application.
Lighting – No dazzling of train drivers or lighting which could be confused with signals. Detail of any external lighting should be provided as a condition.	Safeguarded by condition on outline approval. Still awaiting discharge.
Access to Railway All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.	
Leicestershire Design Review Panel (LCC)	The NPPF (para. 62) advises Local Planning
Suggests that the building line along Leicester Road is staggered slightly	Authorities to have Design Review Arrangements in place to provide assessment and support to ensure high standards of design.
Important that the buildings do not appear to turn their backs on the Leicester Road	The comments received from the panel have assisted in discussions with the applicant who have taken on board the comments and have revised the
High specification of materials will enhance the development. The use of traditional roofing	layout accordingly.
materials – avoid the use of metal standing seem roofs and profiled coloured cladding to the elevations. If cladding is to be used recommends that it should be cedar or pine.	There are three sizes of buildings proposed to support a variety of business customers needs'. The buildings along Leicester Road will comprise a mix
r in the second s	of each and have been repositioned further into the site to allow a greater set back from the road;
Doors and windows should be made from timber or aluminium and not UPVC, which will look alien within this rural location. Coloured window frames should also be avoided, aluminium frames tend to work best when colour coated grey	of each and have been repositioned further into the site to allow a greater set back from the road; ranging from 4.3 metres to 8.3 metres, to add interest to the roadside frontage and allow for landscaping to enhance the business park setting. Whilst the heights are the same; two storey with tiled roof, some of the buildings have been turned to be end on to the road side which allows views
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Doors and windows should be made from timber or aluminium and not UPVC, which will look alien within this rural location. Coloured window frames should also be avoided, aluminium frames tend to work best when colour coated grey The choice of brick could be red or buff. A compromise between a red and a buff brick could be	site to allow a greater set back from the road; ranging from 4.3 metres to 8.3 metres, to add interest to the roadside frontage and allow for landscaping to enhance the business park setting. Whilst the heights are the same; two storey with tiled roof, some of the buildings have been turned to be end on to the road side which allows views through the site and gives a greater separation

grey UPVC with glass sheet canopy on PPC supports over the entrance doors. The materials proposed are considered to be acceptable in this location with the Melton Mowbray Building Society headquarters in a cream buff brick and the Baptist church and Bowls Club Head Quarters in red brick
providing a contrast. Landscaping is part of the reserved matters application and a masterplan for the whole site has been submitted along with a more detailed landscaping scheme for the first phase of development. The front of the site along Leicester Road will be grassed with the planting of trees in groups, consisting of ornamental cherry trees and field maples. To the corner of the site, bordering the Baptist church the planting of an Ash tree, cherry trees and silver birch trees will sit along the adjoining boundary providing a visual separation from the two sites. Around the car parking areas trees will be planted along the estate road and internal entrances, with ornamental hedge defining into each individual plot. The trees will be a mix of maples.
The NPPF advises that good design is a key aspect of sustainable development, and that it is indivisible from good planning, and should contribute positively to making places better for people. It goes on to state that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations.
The proposal seeks to provide a high quality business park that will benefit the local economy for the town. It will provide office accommodation from 'start up' to business wishing to expand. Facilities required to support the boroughs economy. It is considered that the design, layout and

	polices OS1 and BE1 and the provisions of the NPPF.
Sport England – No objection	The site has a local policy designation – policy R1 which requires the site to be used for recreational purpose. The policy is no longer considered relevant when assessing this reserved matters application as the principles for the redevelopment have been agreed with the grant of outline consent. A S106 for the site releases the owner from the previous S52 obligation to retain the land for recreational purpose.

Representations:

A site notice was posted and neighbouring properties consulted. As a result a no letters of representation have been received to date

Consideration	Assessment of Head of Regulatory Services
Impact upon the Character of the Area	The site sits to the west of the town adjacent other
	employment uses, whilst opposite the site is
	agricultural land. There is no distinct style of
	building however Melton Mowbray Building
	Society offices are over three floors with the
	Baptist Church also being high. The proposed
	units would have a height of approximately 8.9 to
	ridge sloping to eaves height of approximately 6.2
	and will be of varying footprints.
	The site sits along a classified road through the
	town (A607) and therefore the business park will
	be highly visible along this approach into Melton.
	This part of the town is semi rural in character
	given the openness of this part of the area. The
	buildings have been set back from the highway
	and will be of varying footprints with wide
	spacing between, to assist in retaining a sense of
	openness when travelling along the highway. The
	choice of building materials along with the design
	is considered to be of high specification and
	provides the business park with its own
	distinctiveness.
	The proposal seeks to improve the employment
	opportunities for the town and it is considered
	that the proposal is in accordance with the
	local plan polices OS1 and BE1 and the
	provisions of the NPPF in promoting
	sustainable development.
Impact upon neighbouring properties	The neighbouring uses are predominantly
	employment and community uses. Immediately
	to the west of the site is Mill House formerly a
	garden nursery. The dwelling is screened by the
	mature landscaping and is sufficiently set apart so that the buildings will not have detrimental
	that the bundlings will not have detrimental

Other material considerations (not raised through consultation or representation)

	· · · · · · · ·
	impact upon residential amenities.
	To the south east is the start of a residential estate. The buildings are sufficiently separated from the residential uses however the business park will be for office uses only with no heavy industrial uses permitted.
	The roundabout along the A607 services the entrance to the residential estate as well as the employment and community uses. The office development is considered acceptable in highway terms, through generation of traffic with no heavy industrial vehicles required after the construction.
	It is considered that the proposed buildings
	will not have a detrimental impact upon
	neighbouring properties and is compliant with
	the local plan policies OS1 and BE1
Compliance (or otherwise) with Planning Policy	As stated above, the development is considered to
	accord with the applicable Local Plan polices. In
	this instance, the policies are considered to be
	complemented by the NPPF and should not be set
	aside because of it. In terms of its promotion of
	economic growth, the NPPF advises that
	"significant weight" should be assigned and as
	such it is considered to weigh substantially in
	favour of the proposal.

Conclusion

The application site benefits from outline consent for business development and is currently an overgrown parcel of land to the west of the town. The proposal seeks to provide high quality office development with close links to the town where there is a choice of transport modes. The Office development will support the boroughs' economy and provide the much need office space to allow flexibility for the end user; providing different size units to accommodate start up business or those wishing to expand. The proposal is considered to not have a detrimental impact upon highway safety or residential amenity. For these reasons the proposal is considered in accordance with local and national planning policy framework (NPPF) – including the emerging LDF Core Strategy Publication DPD objectives - and no other material considerations indicate otherwise. The application is recommended to be conditionally approved.

RECOMMENDATION: - Permit, subject to the following conditions:-

- 1. The development shall be carried out in accordance with the plan drawing nos. 6353P-01H, 6353K-21G, 6353K-22G and 6353K-22G unless otherwise agreed in writing by the Local Planning Authority.
- 2. The landscaping scheme, including the boundary treatment hereby approved shall be carried out in accordance with the details as submitted on drawing no. 012.975.003 Site and Landscaping and drawing no. 012.975.002 (phase 1). The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season

with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

3. The disposal of foul and surface water from the site will be implemented in accordance with the approved scheme, drawing nos. FW180 020d submitted on the 22nd August as approved by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

Reasons for Condtions

- 1. For the avoidance of doubt; the initial proposals being considered unsatisfactory.
- 2. To provide a reasonable period for the replacement of any planting.
- 3. To ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.

Officer to contact: Mrs Denise Knipe

6th October 2012