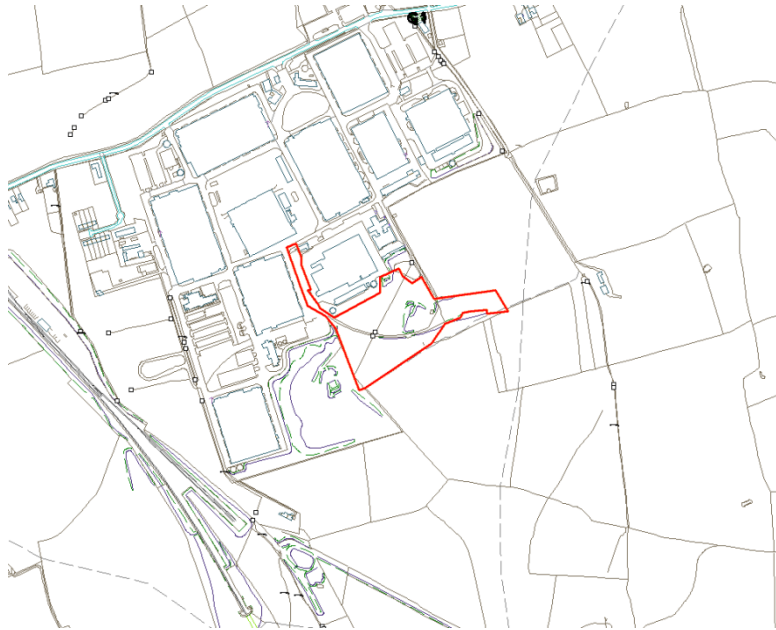


**Reference:** 13/00128/OUT  
**Date submitted:** 01.03.2013  
**Applicant:** Haywood Properties  
**Location:** Land Adjacent Unit 9, Crown Business Park, Station Road, Old Dalby  
**Proposal:** Outline application for enterprise village for B1 and B2 uses including earth modelling, road layout, drainage and strategic landscaping details.



**Proposal :-**

**This application relates to outline planning permission for 4,200 square metres ‘freehold’ serviced plots, of varying sizes, to create an enterprise village for use classes B1/B2 complete with knowledge hub which will be available to all business residents for networking to seek help and guidance in starting up. The serviced plots would be available for sale and built to the end users specification. (subject to detailed planning permission) A Design Guide has been submitted for the whole site. The outline proposal seeks consent for the access, scale and landscaping only. Access to the site will be via the existing entrance to Crown Business Park and would have its own serviced road to the units which would sit behind the existing larger units on the site. Extensive remodelling works is required to alter the land levels due to the steep slopes and three plateaus would be created to house the units served by new service roads. Landscape proposal include the retention of the mature trees with additional tree and shrub planting with the creation of focal landscaped areas within the site.**

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

- **Impact upon residential amenity of residents living on Station Lane**
- **Impact upon highways**
- **Application of Development Policies and NPPF**

The application is presented to Committee due to the number of representations received.

### **Relevant History:**

02/00907/OUT - Proposed erection of B1/B2 industrial unit was refused on the 26.02.2003. It was considered to be an extension to an industrial estate in an unsuitable location. Application was granted on appeal on the 3<sup>rd</sup> December APP/Y2430/A/03/1115104 – The Inspector concluded that the site was within the existing boundaries and the Certificate of Lawful Use granting B1/B2 uses applied to the site and considered the need to fully utilise the ex MOD facility has rightly outweighed its unfortunate location.

06/01165/REM – Approval of reserved matters was issued in January 2007 for 5 units each 3,000 square metres to accommodate B1 or B2 uses.

**11/00780/FUL - planning approval granted for the construction of an industrial building consisting of 5 industrial units (1500m<sup>2</sup>) for the purpose of B1 (light industrial) and B2 (general industrial) uses along with associated parking, servicing, delivery, turning facilities and landscaping.**

### **Planning Policies:-**

#### **Melton Local Plan (saved policies):**

**Policy OS2** - states that permission will not be granted for development outside town and village envelopes with some exceptions for agriculture, employment, recreation and tourism.

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

**Policy EM9** - describes the circumstances in which industrial development is permissible and states that planning permission will be granted for industrial development within the confines of an existing industrial site outside the town and village envelopes provided:-

- A) the form, scale, design and construction materials of the development are appropriate to the surroundings and would not cause visual intrusion;
- B) there would be no loss of amenities by virtue of noise, smell, dust or the wider operational effects of the development;
- C) adequate access and parking provision can be made available;
- D) the development would not result in an unacceptable increase in traffic levels;
- E) landscaping can be provided to reduce the effect of the development in the locality.

#### **The National Planning Policy Framework introduces a ‘presumption in favour of sustainable development’ meaning:**

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict the NPPF should prevail. It also offers advice on the weight to be given to ‘emerging’ policy (i.e the LDF) depending on its stage of preparation, extent of unresolved (disputed) issues and compatibility with the NPPF.

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

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

**On Specific issues relevant to this application it advises:**

**Building a strong competitive economy**

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

**Sustainable Transport:**

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

**Prosperous Rural Economy**

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

**Consultations:-**

<b>Consultation reply</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Highway Authority:</b> No objection.</p> <p>Given the fact that the size of the 5 units previously approved (11/00780/FUL) were much larger than the units currently proposed, it is likely that the larger units would have generated more Medium to Heavy Goods traffic whereas the smaller units would generate more Light Goods traffic. As such it is unlikely that the current proposal would lead to a significant increase in HGV's. The current proposal is though likely to generate significantly more car borne journeys than the previous proposal. Nevertheless in highway safety terms, the roads serving the site do not have a capacity issue and neither is there a traffic accident issue, and therefore the additional traffic likely to be generated would not be a reason on which to refuse the planning application, as it would not be possible to demonstrate severe harm being caused, as required by the NPPF.</p> <p>The Highway Authority would recommend that the visibility splay to the left out is improved further, to provide a minimum splay of 2.4 metres by 90 metres. This splay shall be cleared of any obstruction that exceeds a height of 600mm above the level of the</p>	<p>The proposal intends to utilise the existing access to the site. The application seeks outline approval only with matters relating to access requiring consideration at this stage, along with scale and landscaping. An indicative masterplan has been submitted which shows that the units are some distance from the highway and would be accessed via the existing road network within the business park. The units would be aimed at those wishing to start a business or suitable for those wishing to move out of home office as part of the next progression and in that regards are less likely to lead to large HGV's visiting the site.</p> <p>A survey of existing vehicles in the Park was undertaken on the first week of November 2012. It showed that during a normal working day there were 200 vehicles parked in the site. This was made up of 152 cars, 32 vans, 14 HGV's and 2 flat bed lorries. It was witnessed that most of the cars arrived between 07:15-08:15 and left between 16:30-17:30 with the HGV's and vans coming and going through the day. The proposed increase in floorspace over the existing units in the business park amounts to a 10.5%. However it the majority of the present uses are B8 – storage,</p>

<p>adjacent carriageway and once provided be thereafter permanently so maintained.</p>	<p>whereas the proposed uses would be individual smaller units which would attract higher levels of car and small light weight van use, but less HGV traffic. It is anticipated that a further 70 vehicles a day would visit the site but as the proposal is for outline permission for serviced plots, the size of each unit is not yet known but is anticipated to be ranging from 100 m<sup>2</sup> to 300 m<sup>2</sup>. The actual built size would be dependent on the end users requirements, subject to complying with the Parks Design Guidance.</p> <p>There have been a number of objections regarding the proposed development, and the traffic likely to be generated. <b>However, no evidence has been submitted to suggest that the new uses would generate a significantly greater quantity of traffic than the existing permission on the site, nor has it been demonstrated that any such increase would be significant in terms of the quantity of traffic present in the area and using the local road network, or give rise to road safety hazards.</b> Whilst vehicle movements will no doubt be increased there are no reported capacity issues on the highways network and the Highway Authority has not objected to the proposal.</p> <p>The entrance into the site is from Station Road, utilising the existing access to the business park and is in the applicants' ownership. Conditions are requested to ensure that adequate visibility splays are provided and maintained.</p> <p><b>Taking account of all of these issues it is not considered that a highway reason for refusal can be substantiated in this instance.</b></p>
<p><b>Old Dalby Parish Council: Object</b></p> <p>Cllrs are strongly opposed to this application on the grounds that it is not sustainable and that the increase in traffic will have a severe impact on the whole Parish.</p> <p>Errors in the Design and Access statement – The consented 5 units are for 300 square metres each not 3,000 square metres – this will have an impact upon the Highways Authority's observations</p>	<p>The Highways Authority has not objected to the proposed development. See commentary above.</p> <p>The proposal seeks outline consent for construction of serviced plots with a combined footprint of 4,200 m<sup>2</sup> and dependant on the end users requirement would be divided to create starter units ranging from 100 m<sup>2</sup> to 300 m<sup>2</sup>.</p> <p>The Highway Authority have been made aware of the error contained within the Design and Access Statement who have not altered their position and are not objecting to the proposal. Whilst there would be an increase in traffic movements, the Highways Authority have stated smaller units are less likely to attract large HGV's with most visitors using light weight vans and cars. There are no capacity issues on the immediate highway network and a highways</p>

<p>Combined increase in traffic – Planning permission exists for two additional units on the Crown Business Park and 8 new units on the Old Dalby Trading Estate. Planning permission granted for relocation of an existing business which would generate sufficient traffic to and from the site in the region of 35 HGV movements a day plus parking for 34 visitors and light vans. This could mean an additional 68 traffic movements a day.</p> <p>The application currently being considered provides parking for 70 vehicles which gives a potential for 140 traffic movements a day. This number could be increased depending on the nature of the business using the proposed units.</p> <p>When looking at the existing road infrastructure in relation to this application it should be remembered that although HGV's access the site via the A606, Dalby Road and Station Road, other vehicles are free to travel through Nether Broughton, Old Dalby and associated roads. We would point out that Wood Hill, Old Dalby is currently 'slipping' into the hill side and will need major repairs; Longcliff Hill is scheduled for major remedial work for a 2nd time; Nottingham Lane, Gibson's Lane and Lawn Lane, all country lanes, are totally unsuitable for any additional traffic. All these problems have been exacerbated by the additional traffic to the business parks.</p> <p>We consider that an adequate road infrastructure does not exist to support the expansion of the Business Parks and the application is unsustainable. Unless a new road is provided from the Salt Way directly to the business parks we firmly believe that the increase in traffic will have a severe impact throughout the Parish.</p>	<p>refusal could not be sustained.</p> <p>The site is contained within an existing industrial estate formerly used by the MOD, now divided in to two separate business estates; The Crown Business Park and Old Dalby Trading Estate. Both sites have extant planning permission for further units to be created, each with a different offer due to the size and scale of the proposed and existing units. Each application is to be judged on its own merits and with each application proposed the Highways Authority have not raised any objection to further growth of the area.</p> <p>The application is in outline form to create small serviced plots for sale. There is a shortage of smaller starter units in the Borough of which this proposal seeks to address. The site is being promoted as an 'Enterprise Village' as it will be the only one of its kind in the borough which would allow the end user to build the unit, to serve their own individual business needs, taking advantage of a serviced plot. There are plans for a 'knowledge hub' to be sited within the 'enterprise village' that will give support and advice to the local businesses within the site to help them to grow and remain sustainable. It is also considered that equating traffic flow with parking provision is an unreliable way of measuring impact.</p> <p>Noted. The existing maintenance requirements of the roads are not a result of the proposed development but exist already. There is no requirement for the developer to contribute to the upkeep of the infrastructure other than through their payment of business rates.. The A606 is an extremely busy road, not just for access to the proposed site, but access into Melton Mowbray and beyond. It would be unreasonable to request contributions from developer when the problem already exists. In comparison to the exiting permission, the proposal is likely to reduce the number of HGV movements and as such it is considered to be a positive aspect of the proposal in relation to this issue.</p> <p>The Highways Authority have not highlighted any capacity issues on the existing infrastructure and the existing entrance to the site will be utilised to serve the new units, with a new internal service road giving direct access to the units. The proposal is contained within the parameters of the existing unit and has the presumption in favour of expansion.</p>
--	--

<p>Cllrs also wish to point out the only bus service which passes the site is also under threat of being withdrawn. In any case the service only benefits those living on the Melton, Asfordby and Grimston area. This further indicates that the proposal is unsustainable.</p>	<p><b>The NPPF seeks to promote and encourage rural businesses to assist with economic growth and recovery. The majority of the units on the Crown Business Park and Old Dalby Trading Estate are too large to accommodate smaller businesses or those wishing to upgrade from home offices. Whilst there would inevitably be an increase in traffic to and from the site the Highways Authority have not objected to the proposal and raise no issues in regards to capacity issues on the local network. It is not considered that a reason for refusal based upon highways safety could be substantiated in this instance given the use of the site as industrial/business uses.</b></p>
<p><b>Ecology – No objections.</b></p> <p>The ecology report submitted in support of the application (CBE Consulting, January 2013) indicates that the area of highest biodiversity interest is found within the Broadleaved woodland, to the south east of the site. The proposed layout retains this feature and a condition should be imposed to ensure that it is retained in the interest of Ecology.</p> <p>The area of open space and trees proposed surrounding the Detention Pond should be planted with a mix, including native species to create an area of wildlife habitat. Additionally, it is welcomed that the proposals for underplanting the landscaped areas with wildflower grass species, as detailed within the design guide will be carried out.</p> <p>The ecology report highlights that there is potential for nesting birds to use the whole site and indicates that a number of trees have bat roost potential. It is therefore recommend that, should planning permission be granted, the recommendations detailed in Section 5 of the Ecological Report are forwarded to the applicant as a condition of the development: ‘Works must only proceed in accordance with part c and d of the recommendations in section 5 of the Phase 1 Habitat Survey &amp; Ecological Appraisal (C.B.E Consulting, January 2013)’.</p>	<p>Noted. The site slopes considerably from north to south and extensive ‘cut and fill’ operations will be required to create three plateaus to accommodate the serviced plots, roadways and parking. As part of the drainage strategy for the site a detention pond is proposed in the northeast corner to assist with surface water management and would form part of the landscape strategy for the proposal.</p> <p>The creation of the three development plateaus will generate embankments which will form part of the strategic landscape proposals, providing 6 metres of landscaped buffering zones that will be maintained by the Enterprise Village Management Company. Shrub planting and trees will assist with defining the overall layout of the site whilst assisting with biodiversity benefits.</p>
<p><b>Environment Agency</b></p>	<p>No comments received to date.</p>
<p><b>Seven Trent Water Authority:</b> No objection subject to a condition requiring details of the surface and foul water management.</p>	<p>Noted. The outline application has been supported with a drainage strategy which outlines the use of Sustainable drainage techniques such as the use of ‘swales’ and ‘detention’ ponds to store and treat surface water before discharge into conventional drains within the site. New sewage infrastructure will be required and will be assessed under current Building Regulations as and when the development commences.</p>
<p><b>S106 Contributions:-</b></p>	<p>Noted. The agreement is between the two</p>

<p><b>Police:</b></p> <p>There is a unilateral undertaking for contributions to the police force with the grant of planning consent under reference 11/00790/FUL. Whilst this application proposes more floorspace there is no requirement to modify the contributions.</p> <p><b>Education, Civic Amenity, Library, Landscaping, Ecology, Highways, Waste, departments:</b> None requested</p>	<p>agencies involved and not the borough Council. This arrangement remains unaffected by this proposal.</p>
---	---

**Representations:**

A site notice and press notice was posted and neighbouring properties consulted. As a result 55 letters of objections from 53 separate households have been received to date objecting on the following; 1 letter of support has been received to date.

<b>Representation</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Impact upon Highway Safety:</b></p> <p>Roads are already suffering from having two large industrial parks served by them – roads are crumbling and this proposal will only exacerbate the issue.</p> <p>If approved it will just exacerbate existing highway issues – road damage, speeding traffic, create further dangers to pedestrians and so on.</p> <p>Will lead to an increase in traffic on a road that is deteriorating already due to high level of use.</p> <p>Increase in traffic through the village of Old Dalby and Nether Broughton.</p> <p>The road network into Old Dalby is already insufficient for the volume and size of vehicles that enter the village to gain access to the current Business Park</p> <p>The development will create more traffic as typically more single occupant car journeys will arise.</p> <p>The roads are not designed to cater for such large vehicles and volumes – HGV’s have had to be rescued when they became stuck on grass verges.</p> <p>More traffic would be a danger to pedestrians, including school children who use the footpaths from Queensway to get to the school in Old Dalby – cars speed along the road.</p> <p>The footpath is narrow in parts and the speeding traffic is causing great danger to pedestrians, cyclists</p>	<p>Please see commentary above – Highways Authority comments and the response to them.</p> <p>The Highways Authority has not objected to the proposal stating that there are no capacity issues on the highway network. No developer contributions have been requested by Leicestershire County Council departments.</p>

<p>and horse riders.</p> <p>The roads are not designed for such amounts of traffic – they are rural roads to serve the villages not large amounts of commuting traffic to businesses.</p> <p>There is crucial need for adequate new traffic arrangements linking the Crown Business Park to nearby main roads. Without this, the situation will not merely be inconvenient to local residents - it will be serious hazardous for them, and especially for the elderly and younger members of our community.</p> <p>There should be a purpose built road from the Salt Way to the village to remove the large amounts of traffic from the villages.</p> <p>Owners should be made to provide (at their own expense) a purpose built road to serve both sites from Six Hills Lane to reduce traffic in the village and provide a safer access.</p> <p>The 30mph speed limit in Nether Broughton is not adhered to – the increase in traffic will create dangers to residents and other road users.</p> <p>If the development goes ahead then the road speeds should be reduced as cars are constantly speeding along Station Lane making it dangerous to walk along.</p> <p>Weight restrictions and speed limits are already being ignored. – monitoring will prove this.</p> <p>Signage is poor from Nether Broughton and should be improved.</p> <p>The 70 extra vehicles quoted by the applicant does not include delivery and visitors – this will increase numbers by much more than what has been assessed.</p> <p>Total vehicle movements could easily be in excess of 400 - many of which would be through the village of Old Dalby which has both a primary school and pre-school facility fronting onto the main road through the village</p> <p>Despite having signs to route the traffic away from Old Dalby large vehicles do still go through the village</p>	<p>There is no power to require landowners to build new roads.</p> <p>Failure to adhere to the speed limits is a matter for the police authority.</p> <p>No requests for signage has been received by the Highways Authority. There is an existing sign at the site entrance which advises leaving HGV drives to turn right towards the A606 and not go through the village of Old Dalby.</p> <p>The detailed pattern of traffic is not known at present with this outline proposal as matters relating to the design and size of each unit, including parking will require further planning permission. It is anticipated that the units will be suitable for ‘lighter’ uses which may attract traffic movements to and from the site such as an electronic engineer or computer repair business. A condition can be imposed to ensure that each subsequent application is supported with a ‘Green Travel Plan’ to encourage more sustainable modes of transport outlining business requirements.</p> <p><b>Whilst the proposal will inevitably increase traffic movements to the site it is not</b></p>
--	---



	<p><b>considered that the increase will be so significant to warrant a refusal on highway safety matters as outlined above.</b></p>
<p><b>Economic Issues</b></p> <p>Planning permission already exist within the existing sites which have still not be built. Possibly due to no demand, therefore no further development should be granted until all empty sites are used or occupied.</p> <p>Should prove that there is a need for this type of development. There are already units standing empty on both sites when these are full then permission should be granted for expansion.</p> <p>No proven need for more units</p> <p>There are more suitable locations for development such as this ie: Melton</p> <p>What is the exact numbers of units to be created – the Parish Council said 30 but an article in the Melton Times said 65.</p>	<p>The application has been supported by a qualified Chartered Surveyor, practising in various locations in the UK, including Melton Mowbray and has had dealings at both business parks in Old Dalby. The letter outlines the problems faced by commercial property owners in the borough and hindering economic growth. These issues have been summarised as:-</p> <ul style="list-style-type: none"> <li>• Very limited supply of good quality accommodation and building plots. Very few new builds have been constructed in recent years.</li> <li>• Prevalence of older quality industrial estate and ex agricultural/MOD style stock</li> <li>• Access, vehicle maneuvering and parking constraints in existing commercial locations</li> <li>• Predominance of leasehold stock and very limited availability of freehold stock.</li> <li>• Freehold stock at too high a price.</li> </ul> <p>This proposal, whilst in outline form relating to access, scale and landscaping seeks to address these issues by constructed small serviced plots to be built and fitted out to the requirements of the end user, giving them a freedom of choice subject to comply with set design code stipulated with the accompanying Design Guidance and gaining detailed planning approval.</p> <p>It is envisaged that the site could accommodate up to 25 businesses and provide a neighbourhood for networking having a business hub on site to offer help and support when required. The plots will be available to purchase and with will be more affordable and flexible to smaller businesses.</p>
<p><b>Impact upon Residential Amenities</b></p> <p>The increase in traffic and traffic noise over the recent years has had an impact upon the enjoyment of our house which was once a quiet rural area</p> <p>Privacy and peace and quite has been shattered already.</p> <p>HGVs travel along this road our house shakes with the vibration of the vehicles this as caused cracks in my daughters bedroom that backs on to the road, this road was not designed for such the great volume that</p>	<p>Noted. Please see comments above relating to amount and composition of traffic, i.e that overall traffic is likely to increase but the quantity of HGV traffic is likely to reduce owing to the size and nature of the units.</p>

<p>travels along this stretch of road not only HGV traffic but traffic to the other Business park and local village traffic.</p> <p>The increase in traffic would be detrimental to the residents of Nether Broughton and Old Dalby.</p>	
<p><b>Impact upon the Character of the Area:</b></p> <p>This is supposed to be a village – not a link road to industry!</p> <p>The rural landscape is turning into an industrial one.</p> <p>The road and footways are deteriorating from such heavy use and they should be made to improve them before any further development is granted.</p> <p>Pot holes are causing damage to private vehicles and detract from the rural location.</p>	<p>The site is an existing industrial site of which local plan policy OS2 and EM9 apply. OS2 allows for small scale development for employment use within the open countryside whilst policy EM9 allows for small scale expansion of existing rural industrial sites subject to being in keeping with the existing area, no impact upon residential amenity, adequate parking and that there would not be an unacceptable increase in traffic levels. Whilst the provisions of 4,200 square metres is not considered to be small scale it would be contained within the existing confines of the industrial estate that benefits from extant planning permission for 1,500 square metres and would be made up of a series of smaller units. The NPPF strongly supports the reuse and new build for rural economic development subject to design and amenity considerations.</p> <p>The new buildings will provide bespoke accommodation rather than re-using buildings originally designed for an alternative purpose. Although it is necessary to consider the cumulative impact of development on the site it is considered that in this instance the increase in floor space proposed is entirely contained within the confines of the Industrial site and the increase in traffic is acceptable from a Highway Safety view point.</p> <p><b>It is not considered that the proposal would have a detrimental impact upon the character of the area which would sit within the existing industrial landscape and is positioned sufficiently away from residential properties to not have an unduly detrimental impact upon residential amenity through introduction of noise or odours.</b></p>
<p><b>Planning Policy</b></p> <p>The citing of the Local Development Framework policy is selective and ignores the fact that it states that <i>At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations</i> (paragraph 1.17 of the Framework). The Local Development Framework seeks to protect the rural character of the Borough and reduce the need to</p>	<p>The LDF Core Strategy has been withdrawn (15<sup>th</sup> April 2013) and no longer considered relevant to this proposal. The policy context consists of the Melton Local Plan and the NPPF (please see below ‘Application of the Development Plan Policies’)</p>

<p>travel by car yet this application is contrary to both of those objectives.</p>	
<p><b>Ecology</b></p> <p>The trees in the area are supposed to have protected status and nurture wildlife, the proposed area is very close to a brook which runs under the road and further destruction of habitat will exacerbate loss of species. There are Barn Owls in the fields opposite.</p>	<p>There is no designated Conservation Area in the vicinity and none of the trees are protected by Tree Preservation Orders. The location for the proposed development is to the south of the site behind, unit 9 which is a unit of considerable size and forms a steep grassy bank with trees around the edges. The proposal is supported with a landscape proposal which seeks to enhance the area increasing biodiversity on the site in the form of a detention pond, shrub and additional tree planting to strategic areas.</p> <p><b>No objection has been received from the County Ecologist subject to recommendations set out within the accompanying Ecology Report.</b></p>
<p><b>Other Matters:</b></p> <p>The south of Crown Business Park is a known area of low stability – the proposal is possibly sited on an active mudflow - a full detailed geotechnical assessment should be submitted prior to any development to prevent landslip.</p> <p>The road passed the ‘Old Armoury’ is known to have a large void and should be investigated and filled in/made stable if this is the route into the site.</p> <p>The access road is too narrow and the sharp right hand bend would make it difficult for two cars to pass</p> <p>Remedial works may be needed to the Old Armoury as vibrations from passing traffic could cause failings to the scientific equipment in the building. A unilateral undertaking would be required with the developer if approval granted.</p> <p>The village was given promises by MBC when the business park was set up that development would be kept to a minimum. I do not consider that at least 70 vehicles a day, and possibly over a hundred, constitutes minimum development.</p> <p>Melton Borough Council's plans were to use the Asfordby Mine site for development. Why has not this happened, as there is good road infrastructure in place and it is not on school or country roads?</p>	<p>The application is in outline form only with matters relating access, scale and landscaping being the only factors for consideration at this stage. Building work will be covered under current Building Regulations and will need to adhere to.</p> <p>The internal estate road will remain private and will not be adopted by the Highways Authority. The permission granted on appeal and the recent approval 11/00790/FUL both utilised this access route.</p> <p>This would remain a civil matter between landowners concerned. It is anticipated that the type of traffic attracted by this development will be ‘lighter’ in character than that associated with existing permissions on the site.</p> <p>Policy EM9 seeks to contain expansion of the facility to be within the confines of the site. The proposal submitted, including this one, complies with the policy as it does not expand the overall boundary of the estate. There is no policy that sets a floorspace limit for the overall site.</p> <p>Whilst planning permission existing within the Asfordby Business Park this is insufficient in quantity to meet the Borough’s requirements, and businesses require a variety of business environments; Asfordby Business Park is not suitable for all businesses. The Crown Business</p>

<p>Complaints fall on deaf ears – speed guns have been used and data submitted to the police.</p>	<p>Park and Old Dalby Trading estates are recognised as ‘good’ facilities and therefore expansion should be supported providing it is within the existing confines to increase the economic offer in the rural areas.</p> <p>These issues are not planning matters.</p>
<p><b>Support:</b></p> <p>There is a need for freehold units to allow businesses to start up and grow. The stock in Melton is old and doesn’t allow you to expand.</p>	<p>Noted. The units will provide flexibility to the end user, accommodating smaller business and start up units.</p>

**Other material considerations (not raised through consultation or representation)**

<b>Consideration</b>	<b>Assessment of Head of Regulatory Services</b>
<p><b>Compliance (or otherwise) with Planning Policy</b></p>	<p>The proposal is not considered to be small scale and represents a departure to the development plan policy OS2 being sited in the open countryside this policy is relevant. As the proposal lies within an existing industrial estate policy EM9 is also applicable. Policy EM9 allows for small scale expansion of existing rural industrial sites subject to being in keeping with the existing area, no impact upon residential amenity, adequate parking and that there would not be an unacceptable increase in traffic levels.</p> <p>The units would be sited to the rear of the existing estate and situated on three development plateaus resulting in the ‘cut and fill’ operation into the embankment. Strategic landscaping proposals include the planting of additional trees around the plateaus to minimise views into the site and planting of shrubs within each plot. The design guidance submitted in support of this outline proposal seeks to minimise the height of all buildings to no more than 7 metres and imposes a design style, including materials, boundary treatments, landscaping of plot and restriction on outdoor storage to ensure that a coherent theme of development of the site would take place, which would evolve organically over time as and when demand arises. It is considered that, subject to the detailed planning applications for the plots themselves, the development of the site would not have an unduly detrimental impact upon the character of the area and due to separation distances will not have an adverse impact upon residential neighbours at Queensway or those along Station Road.</p> <p>The proposal has not generated an objection from the Highways Authority who consider that the</p>

	<p>existing highways network is capable of accommodating the vehicles anticipated from the enterprise units.</p> <p>It is considered that the facilities the proposal will provide will be of assistance to the business sector and support economic growth in the Borough. The business hub to be provided on the site will provide the knowledge and support to assist the smaller businesses sector, giving them the opportunity to buy a freehold unit.</p> <p>As stated above, the development is considered to accord with the applicable Local Plan policies. In this instance, applying the guidance of para 215, the policies are considered to be complemented by the NPPF and therefore retain relevance and weight. In terms of its promotion of economic growth, the NPPF requires that planning should do “everything it can” to encourage economic development and advises that “significant weight” should be assigned and as such it is considered to weigh substantially in favour of the proposal.</p>
--	---

**Conclusion**

The application site is part of the existing Crown Business Park where development within the Estate boundaries is considered acceptable. The design of the buildings are yet to be considered but a design guide will ensure that the units are capable of enhancing the site, the direct impact on neighbours from the processes undertaken is considered minimal. Despite extensive concern regarding highways issues, no evidence has been put forward that any such increase would significantly harm road safety interests and the Highways Authority has confirmed that the roads serving the site do not have a capacity issue and neither is there a traffic accident issue. Accordingly, it is not considered that these concerns can be substantiated and withstand challenge. For these reasons the proposals are considered in accordance with local and national planning policy (NPPF) and no other material considerations indicate it should depart from these. The application is recommended to be conditionally approved.

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

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site, on land to which the reserved matters relates, until approval of the details of the "layout, scale, external appearance of the buildings and the landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
3. The "reserved matters" required under condition no.2 above and the development shall be in accordance with the development principles as detailed in the Design Guidance Final submitted on the 27th February 2013.

4. No development shall start on site, on land to which the reserved matters relate, until all external materials to be used in the development in accordance with the sites Design Guidance hereby permitted have been submitted to and approved in writing by the Local Planning Authority.
5. Notwithstanding the submitted details, prior to the commencement of development a full landscaping scheme for the whole site shall be submitted to the Local Planning Authority for approval (a 'strategic landscaping scheme'). This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours and a timetable for its completion in relation to the development of the individual serviced plots. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development.
6. No development shall commence on site until all existing trees that are to be retained pursuant to the provisions of condition 5 above have been securely fenced off by the erection of post and rail fencing to coincide with the canopy of the tree(s), or other fencing as may be agreed with the Local Planning Authority, to comply with BS5837. In addition all hedgerows that are to be retained shall be protected similarly by fencing erected at least 1m from the hedgerow. Within the fenced off areas there shall be no alteration to ground levels, no compaction of the soil, no stacking or storing of any materials and any service trenches shall be dug and backfilled by hand. Any tree roots with a diameter of 5 cm or more shall be left unsevered.
7. The landscaping scheme for each individual plot shall form the reserved matters application under condition 2 and be in accordance with the sites Design Guidance (condition 3). The agreed scheme(s) shall be implemented in the first planting and seeding season following either the first occupation or bringing into use of any part of the development on the site to which it relates.
8. The approved strategic landscape scheme (both hard and soft) for the site shall be carried out in accordance with the details and timetable approved pursuant to condition 5 above, 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.
9. A Landscape Management Plan, including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas ( i.e. land that lies outside any of the individual serviced plots) shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development, whichever. The development shall be carried out in accordance with this management plan unless otherwise agreed in writing.
10. Before the development hereby permitted is first used, cycle parking provision shall be made to the satisfaction of the Local Planning Authority and once provided shall be maintained and kept available for use in perpetuity.
11. Before first use of the development hereby permitted, visibility splay to the left out is improved further, to provide a minimum splay of 2.4 metres by 90 metres. This splay shall be cleared of any obstruction that exceeds a height of 600mm above the level of the adjacent carriageway and once provided be thereafter permanently so maintained.
12. Development shall not begin until a surface water drainage limitation scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include the design details of the detention basin and subsequently be implemented in accordance with the approved details before first occupation of the buildings.

13. Site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March and August inclusive, except when approved by the Local Planning Authority.
14. Works must only proceed in accordance with part C and D of the recommendations in section 5 of the Phase 1 Habitat Survey & Ecological Appraisal (C.B.E Consulting, January 2013)

The reasons for the conditions are:-

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. The application is in outline only.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted
5. To ensure satisfactory landscaping is provided within a reasonable period.
6. To ensure that existing trees are adequately protected during construction in the interests of the visual amenities of the area.
7. To ensure satisfactory landscaping is provided within a reasonable period in the interests of visual amenity.
8. To provide a reasonable period for the replacement of any planting.
9. To ensure that the use remains compatible with the site and surrounding area.
10. In the interests of the sustainability of the development and to encourage alternative transport choice.
11. In the interest of highway safety.
12. To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity.
13. To ensure that breeding birds are not adversely affected.
14. To ensure that breeding birds are not adversely affected.

**Officer to contact: Mrs D Knipe**

**Date: 8<sup>th</sup> May 2013**