

Submitted to LDO/FEZ Consultation
Submitted on 2016-04-06 12:07:48

ABOUT YOU

1 What is your name?

Dr Jerzy Schmidt

2 What is your email address?

[REDACTED]

3 Are you responding on behalf of an organisation?

NO

LDO SURVEY

4 Do you have any general comments on the purpose of the LDO?

The information contained is incomplete.

- 1.3 makes reference to an appendix 2. There is no appendix 2 attached.
- 1.7 makes reference to a map defining the area affected in appendix 1. There is no map.
- 1.7 also makes reference to a period to 2 years whereas in the LDO document itself, it states it will run for 5 years. This is confusing and inconsistent.

The FEZ and Melton as the Rural Capital of Food has been promoted in the local media as pertaining to human food and drink products. It should be made clear in the order whether this also covers food for non-human consumption (i.e. livestock/agricultural or bird food). The form and size of agricultural / non human food could be much larger in scale as they would more likely be wholesale supply to businesses rather than to the general public. This may have impacts if larger goods vehicles have to pass through residential areas to access new businesses in more isolated farm areas along narrow lanes as the 7.5 tonne limits protecting residents from noise and pollution from such vehicles would not apply if access is for loading/unloading. This order must balance the needs of affected residents with the need for encouraging business growth and not be weighted too strongly in one or the other direction.

SUMMARY

- Appendix 2 missing.
- LDO for 2 years and 5 years (inconsistent)
- It should be made clear in the order whether this also covers food for non-human consumption (i.e. livestock/agricultural or bird food); worries about the amount and size of vehicles.

5 If you have anything to say about the environmental statement, please write it in the box below.

The statement itself is very general and would benefit in containing the details listed in Appendix 1 as a minimum. These would then cover all sections of the LDO and not have to be repeated in each section.

Reference should also be documentation listing the exact locations of the "sensitive areas" referred to in 3.2 so there is no ambiguity as to the where impacts should be avoided

SUMMARY

- Adding elements of Appendix 1 on the statement.
- Identification of sensitive areas to avoid ambiguity.

6 Please write below any comments you have on the provisions and limitations of the LDO.

3.2 makes reference to "standard conditions in areas such as highways, contaminated land, noise, design, proximity to neighbouring uses and others" and goes on to indicate that "The full proposed standard conditions can be found in Appendix 1." On reading Appendix 1, there are no reference the full proposed standard conditions and none are listed. There is reference to noise only in one section, little reference to design apart from size and little reference to access.

As it stands, the conditions, both general and specific, give little protection to the neighbours and surrounding countryside from inappropriate development. This is crucial as the because LDO gives the right to permitted development without prior approval there needs to be adequate protection from any abuse of this right or interpretation along lines not originally intended!

SUMMARY

- Appendix 1 lacking standard conditions mentioned in section 3.2.
- Concern about protection for neighbours and surrounding countryside.

7 PERMITTED DEVELOPMENT

Please write below if you have any comments on section (i): Erection and extension of farm buildings.

How does this relate to powers in General Permitted Development orders? If these apply, then make it clear they do or make it clear if they extend or differ.

There is no limit on the number of times a building of 750 square metres can be erected under this order over the 5 year period. This could lead to abuse and uncontrolled expansion in directions not envisaged. With no powers to revoke as t clearly states that an development begun under this order would be allowed to be completed.

SUMMARY

- No reference on LDO to general permitted development orders.
- No mention on number of times a building can be erected (power to revoke).

8 PERMITTED DEVELOPMENT

Please write below if you have any comments on section (ii): Change of use to farm shop.

No answer

9 PERMITTED DEVELOPMENT

Please write below if you have any comments on section (iii): Extensions to form farm shop.

There is no indication on how many times a farm shop can be extended. Abuse could link extensions to make an inappropriately sized development without control

10 PERMITTED DEVELOPMENT

Please write below if you have any comments on section (iv): Extensions to food production premises.

There is no indication on how many times food production premises can be extended. Abuse could link extensions to make an inappropriately sized development without control.

11 PERMITTED DEVELOPMENT

Please write below if you have any comments on section (v): Change of use to existing food production facilities to shop ('factory shop').

No answer

12 PERMITTED DEVELOPMENT

Please write below if you have any comments on section (vi): Extensions to food production premises for the provision of training facilities.

Not Answered

13 Do you have any other comments?

Overall, the conditions do not appear to control abuse. As it stands, the wording gives little protection from over 5 years, the establishment of a large scale food manufacturing complex employing hundreds of people all served by continual HGV movements through small villages all located in an isolated rural local at the end of a narrow lane!

I appreciate this is an extreme interpretation but all scenarios need to be considered if control is to be relaxed with an LDO.

SUMMARY

- Concern about abuse and lack of conditions in LDO to control it.

ABOUT YOU

1 What is your name?

Name: Geoff Platts

2 What is your email address?

Email: geoff.platts@environment-agency.gov.uk

3 Are you responding on behalf of an organisation? If yes please state the name of the organisation.

Organisation name: Environment Agency

LDO SURVEY

4 Do you have any general comments on the purpose of the LDO?

Agree with the purpose of the LDO.

5 If you have anything to say about the environmental statement, please write it in the box below.

No answer

6 Please write below any comments you have on the provisions and limitations of the LDO.

Section 3.1 of the Provisions of the LDO at bullet point 1 relates to "erection and extension of farm buildings", yet in Appendix 1 paragraph 2 it does not address "erection of farm buildings" which could be stand-alone new buildings, it just refers to "extension or alteration of buildings" which would refer to existing buildings. The omission of not reefing to a new build requires rectifying.

SUMMARY

- Either add in A1 (paragraph 2) the erection and extension of farm buildings, or rectify section 3.1 and remove that part.

7 PERMITTED DEVELOPMENT

Please write below if you have any comments on section (i): Erection and extension of farm buildings.

There should be a section within the criteria similar to that contained within the other development types listed that addresses building in the floodplain: No part of the development shall fall within:

- (a) in an area within Flood Zone 2 or Flood Zone 3; or
- (b) an area within Flood Zone 1 which has critical drainage problems and which has been notified to the Local Planning Authority by the Environment Agency.

Additionally there needs to be a criteria which restricts the proximity of building adjacent to a "Main River" (over which the Environment Agency has permissive powers of access for maintenance purposes). The criteria could read: no part of the development shall be in on over or within 8 metres of the top of bank of the main river without the prior written consent of the Environment Agency.

SUMMARY

- Suggestion on what to add regarding building in the floodplain (see response).
- Requests to include restrictions to building by a main river (see response).

**8 PERMITTED DEVELOPMENT Please write below if you have any comments on section (ii):
Change of use to farm shop.**

No Comment

**9 PERMITTED DEVELOPMENT Please write below if you have any comments on section (iii):
Extensions to form farm shop.**

Additionally there needs to be a criterion which restricts the proximity of building adjacent to a "Main River" (over which the Environment Agency has permissive powers of access for maintenance purposes). The criteria could read: no part of the development shall be in on over or within 8 metres of the top of bank of the main river without the prior written consent of the Environment Agency.

**10 PERMITTED DEVELOPMENT Please write below if you have any comments on section (iv):
Extensions to food production premises.**

(Same answer as above) Additionally there needs to be a criterion which restricts the proximity of building adjacent to a "Main River" (over which the Environment Agency has permissive powers of access for maintenance purposes). The criteria could read: no part of the development shall be in on over or within 8 metres of the top of bank of the main river without the prior written consent of the Environment Agency.

**11 PERMITTED DEVELOPMENT Please write below if you have any comments on section (v):
Change of use to existing food production facilities to shop ('factory shop').**

No Comments

**12 PERMITTED DEVELOPMENT Please write below if you have any comments on section (vi):
Extensions to food production premises for the provision of training facilities.**

(Same answer as Q9) Additionally there needs to be a criterion which restricts the proximity of building adjacent to a "Main River" (over which the Environment Agency has permissive powers of access for maintenance purposes). The criteria could read: no part of the development shall be in on over or within 8 metres of the top of bank of the main river without the prior written consent of the Environment Agency.

SUMMARY

- Requests to include something restricting building by a main river (see response).

13 Do you have any other comments?

A further consideration for criteria could be the environmental risk of causing pollution to any controlled waters and in particular any underlying aquifer. Farms are classed in the DOE Industry Profiles as having a potentially contaminating use. Therefore if development is situated on top of an aquifer the previous use of the developable site must be considered for its potential to cause contamination to the underground water source (aquifer) by way of a pathway created by the development of the site.

Suggest that Aquifers / Controlled waters are included within the definition of "sensitive area". A criterion could be: No development shall take place which has the potential to cause pollution to controlled waters.

SUMMARY

- Environmental considerations mentioned for pollution of underlying aquifers.
Suggestion: include controlled waters as "sensitive areas".

Submitted to LDO/FEZ Consultation
Submitted on 2016-04-27 18:21:33

ABOUT YOU

1 What is your name?

David Manning

2 What is your email address?

Email: dmanning@landyke.co.uk

3 Are you responding on behalf of an organisation? If yes please state the name of the organisation.

NO

LDO SURVEY

4 Do you have any general comments on the purpose of the LDO?

As a regular agent for farm and rural applications I approve of the LDO.

5 If you have anything to say about the environmental statement, please write it in the box below.

No answer.

6 Please write below any comments you have on the provisions and limitations of the LDO.

No answer.

7 PERMITTED DEVELOPMENT

Please write below if you have any comments on section (i): Erection and extension of farm buildings.

Flood Risk.....I am surprised the proposed permitted development under Part B (I) is not restricted by flood zones as are Part B (ii), (iii) and (vi).

SUMMARY

- No restriction on flood zones.

NO ANSWER ON ANY OF THE OTHER QUESTIONS.

ABOUT YOU

1 What is your name?

Name: Peter Smith

2 What is your email address?

Email: PlanningM@highwaysengland.co.uk

3 Are you responding on behalf of an organisation? If yes please state the name of the organisation.

Organisation name: Highways England

LDO SURVEY

4 Do you have any general comments on the purpose of the LDO?

Highways England welcomes the opportunity to comment on the Melton Food Enterprise Zone (FEZ) Local Development Order (LDO) and Statement of Reasons document which have been published for public consultation. It is understood that the LDO will grant planning permission to specific types of development and will seek to streamline the planning process by removing the need for developers to make a planning application to the local authority for certain types of development in specific circumstances. In this regard, the LDO is considered as a key element of the FEZ and is intended to incentivise growth in the sector by reducing the barriers perceived to be created by the planning process across the entire Borough of Melton.

It is the role of Highways England to maintain the safe and efficient operation of the strategic road network whilst acting as a delivery partner to national economic growth. Highways England's principle focus is safeguarding the operation of the A52, of which a small section routes through the north of the Borough, as well as sections of the A46 and A1 routing to the west and east of the Borough, respectively.

Highways England notes that the document is non-site specific but acknowledges that development as part of the Melton FEZ LDO will be relatively small scale, with the largest development being extensions to food production premises, with development not exceeding 500m² in floor area. It is also stated that 'no part of the development would be within 25 metres of a metalled part of a trunk road or classified road'. This is broadly welcomed by Highways England as a means of safeguarding the strategic road network but Highways England would wish that the wording refers to the highway boundary of a trunk road rather than the highway carriageway.

Highways England also notes that, whilst the LDO is intended to streamline the planning process, it is stated in the consultation document that development undertaken under the terms of the proposed LDO will continue to be subject to standard conditions in areas including highways. This is welcomed.

SUMMARY

General positive feedback. Only request: It is stated that 'no part of the development would be within 25 metres of a metalled part of a trunk road or classified road'. This is broadly welcomed by Highways England as a means of safeguarding the strategic road network but Highways England would wish that the wording refers to the highway boundary of a trunk road rather than the highway carriageway.

NO ANSWER ON ANY OF THE OTHER QUESTIONS.

ABOUT YOU

1 What is your name?

Name: Simon Fisher

2 What is your email address?

Email: simon.fisher@nfu.org.uk

3 Are you responding on behalf of an organisation? If yes please state the name of the organisation.

Organisation name: National Farmers Union

LDO SURVEY

4 Do you have any general comments on the purpose of the LDO?

The National Farmers' Union of England and Wales (NFU) represents 47,000 farm businesses throughout England and Wales, and we have 263 farming businesses with NFU membership in the Melton Mowbray local NFU branch.

Nationally, some 61% of farm businesses now have a diversified activity on farm. Locally some of those businesses have diversified their economic base to include a value added food enterprise. Most notably in the Borough we have dairy farms supplying milk to the Stilton Creameries, renowned around the world as one of the finest cheeses. In association with heritage products like pork pies and modern food processing facilities, Melton Borough has a food tradition that is justifiably recognised by its "Rural Capital of Food" brand. The Borough is one of the pinnacles of food production and processing in the East Midlands region, and the base for food companies both large and small.

We have been involved in the development of the Melton Food Enterprise Zone since its inception in 2015, and helped the council team develop the idea. This is based on the principle that our farmers should and need to look at value added opportunities to diversify their economic base.

We very much welcome the proposals for a Local Development Order for the food and farming sector in the Borough. Farmers are increasingly looking towards the market place to produce and supply value added products and this is a very positive proposal to give those opportunities foundation. Those opportunities may be production of local or artisan food products using their own production, or looking at food processing opportunities to supply the food chain that they are well placed geographically to service in the centre of the country. All such economic developments are good for the economy of the Borough providing jobs and growth.

All too often we witness ideas and plans thwarted by planning controls that want to place such food processing and retail premises into industrial parks rather than allowing them to develop as an extension of their farm holdings. The Melton LDO is a welcome change to that attitude. We wholeheartedly concur with the Councils objectives to assist with economic development and growth.

SUMMARY

Positive feedback.

5 If you have anything to say about the environmental statement, please write it in the box below.

No comments

6 Please write below any comments you have on the provisions and limitations of the LDO.

Appendix 1, Part A, Point 2

Should there be a reference to erection of buildings under this point?

SUMMARY

- Same point raised as Dr J Schmidt. Need to include in A1 (paragraph 2) about erection of buildings.

7 PERMITTED DEVELOPMENT

Please write below if you have any comments on section (i): Erection and extension of farm buildings.

Appendix 1, Part B (i)

Under Conditions 2, re-word this to “The development shall not be...”

Appendix 1, Part B (i)

In bullet point 8 it suggests that new or extended farm buildings cannot appear to be put up under permitted development rights within 400m of an existing house not connected with the holding. This would appear too restrictive and could prevent good sites coming forward. The current permitted development rights only apply such a restriction on buildings used for the accommodation of livestock, slurry/sewage/slurry or for storing fuel or waste from biomass boilers and anaerobic digestion systems. We just wonder if this is a restriction that should only apply to livestock buildings and is not meant for all farm buildings as the section refers to.

SUMMARY

- Grammar correction on condition 2 of B(i).
- Revision of A1, B(i), bullet point 8. It might be too restrictive, see answer for suggestion.

8 PERMITTED DEVELOPMENT Please write below if you have any comments on section (ii): Change of use to farm shop.

Appendix 1, Part B, (ii)

The first condition for farm shops relates to goods sold being produced on the holding or according to a pre-approved scheme. We believe that the Borough Council will need to give a guideline on the balance between “produced on the holding” and goods supplied. No farm shops can supply all their goods from their own production and in order to offer a range of goods to attract customers need to stock other products.

Therefore the Council needs to provide reasonable guidelines which allow businesses to thrive, and we are sure that the Council will be mindful of this.

SUMMARY

- A1 B(ii), condition 1: Council will need to give a guideline on the balance between “produced on the holding” and goods supplied.

**9 PERMITTED DEVELOPMENT Please write below if you have any comments on section (iii):
Extensions to form farm shop.**

Appendix 1, Part B (iii)

A number of people we consulted raised a point that the proposed floor space of 50 m² for extensions to form a farm shop is too small for some extensions. Would it be possible to increase this to 100 m²?

SUMMARY

- A1 B(ii): request to increase it to 100 m².

**10 PERMITTED DEVELOPMENT Please write below if you have any comments on section (iv):
Extensions to food production premises.**

Appendix 1, Part B (iv)

Under Extensions to food production premises, it has been drawn to our attention that the area that the development shall not exceed is pretty small, when one considers the size of some processing machinery and lines. Single machines for processing lines could be over 20m long and 2m wide. An increase in area would seem appropriate.

SUMMARY

- A1 B(iv): request to increase area.

**11 PERMITTED DEVELOPMENT Please write below if you have any comments on section (v):
Change of use to existing food production facilities to shop ('factory shop').**

Appendix 1, Part B (v)

Likewise, the 50 m² limit for changing use from food production facilities to a factory shop was felt to be too small, so we ask if it is possible to increase this to 100 m².

SUMMARY

- A1 B(v): request to increase area.

**12 PERMITTED DEVELOPMENT Please write below if you have any comments on section (vi):
Extensions to food production premises for the provision of training facilities.**

Appendix 1, Part B (vi)

The area allowed for a training facility is small at 100 m² and an increase in that allowance is appropriate.

SUMMARY

- A1 B(vi): request to increase area.

13 Do you have any other comments?

Our conclusion

Overall we are strongly in favour of the proposed LDO and understand the conditions therein. Those we consulted felt that the overall aim was laudable and that we should endorse it. We would ask that the more specific points raised on those conditions are looked at again to ease any potential restriction by their adoption.

Submitted to LDO/FEZ Consultation
Submitted on 2016-05-06 14:42:49

ABOUT YOU

1 What is your name?

Name: Sean Mahoney

2 What is your email address?

Email: Sean.Mahoney@naturalengland.org.uk

3 Are you responding on behalf of an organisation? If yes please state the name of the organisation.

Organisation name: Natural England

LDO SURVEY

4 Do you have any general comments on the purpose of the LDO?

No answer.

5 If you have anything to say about the environmental statement, please write it in the box below.

Dear Jorge,

Thank you for your email below concerning the Melton Food Enterprise Zone Local Development Order & Statement of Reasons Consultation.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Since its duties relate to the protection and enhancement of the natural environment, Natural England's concerns relate primarily to safeguarding protected sites, species and landscapes and ensuring adequate green infrastructure provision. It follows that our advice will focus on preventing any adverse impacts on nationally and internationally designated nature conservation sites. With that in mind, we would recommend the use of our SSSI Impact Risk Zones which are a GIS dataset designed to help local planning authorities decide when to consult Natural England on developments likely to affect Sites of Special Scientific Interest (SSSIs). The dataset and user guidance can be accessed from the data.gov.uk website. The dataset may be of use in helping the Local Planning Authority to decide when a Strategic Environmental Assessment or Habitats Regulation Assessment is required.

Due consideration should also be given to green infrastructure provision (see below). A coherent green infrastructure network is integral to the creation of sustainable communities, providing many social, economic and environmental benefits around recreation, health and wellbeing, biodiversity enhancement, habitat creation, flood alleviation and climate change adaptation.

Our wider interest in sustainable development encompasses climate change mitigation and adaptation, the protection and enhancement of soils, and environmental land management. We welcome such initiatives as sustainable drainage systems which promote sustainable development.

Green Infrastructure

You may wish to consider making provision for Green Infrastructure (GI) within development. This should be in line with any GI strategy covering your area.

The National Planning Policy Framework states that local planning authorities should plan 'positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure'. The Planning Practice Guidance on Green Infrastructure provides more detail on this.

Urban green space provides multi-functional benefits. It contributes to coherent and resilient ecological networks, allowing species to move around within, and between, towns and the countryside with even small patches of habitat benefitting movement. Urban GI is also recognised as one of the most effective tools available to us in managing environmental risks such as flooding and heat waves. Greener neighbourhoods and improved access to nature can also improve public health and quality of life and reduce environmental inequalities.

There may be significant opportunities to retrofit green infrastructure in urban environments. These can be realised through:

- green roof systems and roof gardens;
- green walls to provide insulation or shading and cooling;
- new tree planting or altering the management of land (e.g. management of verges to enhance biodiversity).

You could also consider issues relating to the protection of natural resources, including air quality, ground and surface water and soils within urban design plans.

Further information on GI is included within The Town and Country Planning Association's "Design Guide for Sustainable Communities" and their more recent "Good Practice Guidance for Green Infrastructure and Biodiversity".

Biodiversity enhancement

The LPA could consider incorporating features which are beneficial to wildlife within development, in line with paragraph 118 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.

Landscape enhancement

The LDO may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might make a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.

For example, it may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site, provision is made for succession planting so that new trees will be well established by the time mature trees die.

Other design considerations

The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity (para 125).

Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.

We hope that you find these comments useful. We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact me on 0300 060 0571. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

SUMMARY

- Recommendation of the use of our SSSI Impact Risk Zones which are a GIS dataset designed to help local planning authorities decide when to consult Natural England on developments likely to affect Sites of Special Scientific Interest (SSSIs).

NO ANSWER ON ANY OF THE OTHER QUESTIONS.

ABOUT YOU

1 What is your name?

Name: Emilie Carr

2 What is your email address?

Email: Emilie.carr@HistoricEngland.org.uk

3 Are you responding on behalf of an organisation? If yes please state the name of the organisation.

Organisation name: Historic England

LDO SURVEY

4 Do you have any general comments on the purpose of the LDO?

Melton contains a wealth of heritage assets which play an important part in the local character and identity of the district. It is therefore important that this resource which includes both designated and non-designated heritage assets, is recognised, protected and, where possible, enhanced.

There is strong concern that the proposed Local Development Order may impact upon the setting of heritage assets, by reason of the size of the proposed new buildings and extensions and the scope of the LDO being for a borough wide area. The legislation within section 66 of the 1990 Act requires that special regard is given to the desirability to preserve listed buildings and their settings, and it would be unclear how this can be done with such a wide grant of consent.

Paragraph 132 of the NPPF states that "Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting." For example the criteria relating to new buildings being within 30 metres of an existing building, whilst potentially outside a Listed Building curtilage may still impact upon its setting; or the maximum height of 12 metres could potentially impact significantly upon setting. How have the parameters been reached?

There is no record of a request for screening; I note that it is not considered that an EIA is required. As proposed there is strong concern relating to the proposed alterations to permitted development rights in relation to extensions and new buildings and subsequent potential impact on setting – what assessments have been carried out to assess potential impact upon settings? Also, although exclusions in relation to the curtilage of Listed Buildings and within Conservation Areas are strongly welcomed, Scheduled Ancient Monuments, Registered Parks and Gardens and Registered Battlefields are not included.

SUMMARY

- Concern that the heritage of Melton will be impacted. They say it is unclear how it can be protected with such a wide grant of consent.
- Strong concern relating to the proposed alterations to permitted development rights in relation to extensions and new buildings and subsequent potential impact on setting.
- Scheduled Ancient Monuments, Registered Parks and Gardens and Registered Battlefields are not included.

NO ANSWERS ON ANY OF THE OTHER QUESTIONS.

ABOUT YOU

1 What is your name?

Name: Richard Goodwin

2 What is your email address?

Email: richard.goodwin@cla.org.uk

3 Are you responding on behalf of an organisation? If yes please state the name of the organisation.

Organisation name: CLA

LDO SURVEY

4 Do you have any general comments on the purpose of the LDO?

The CLA supports and welcomes the introduction of Local Development Orders for the farming and food sectors of Melton Borough Council area. Local Development Orders will enable farms to adapt and diversify their businesses in order to market, process, train staff and sell their farm produce. This may be by the erection of a new building, extension of an existing farm building or change of use. The Local Development Order will promote growth within the farming sector and create flexibility within the planning system for food retail, production and training development.

SUMMARY

Positive feedback.

5 If you have anything to say about the environmental statement, please write it in the box below.

No

6 Please write below any comments you have on the provisions and limitations of the LDO.

There should be flexibility within the LDO to enable future England GDPO 2015 changes to be integrated into it. This could be a limitation unless stipulated. The Governments Rural Planning review brings about changes which this LDO has already implemented.

SUMMARY

- There should be flexibility within the LDO to enable future England GDPO 2015 changes to be integrated into it.

7 PERMITTED DEVELOPMENT Please write below if you have any comments on section (i): Erection and extension of farm buildings.

CLA support this and welcome the increase floor area to 750 m².

SUMMARY

- Request to increase floor area.

**8 PERMITTED DEVELOPMENT Please write below if you have any comments on section (ii):
Change of use to farm shop.**

CLA believe the 50 m² floorspace area is too low and that it should be increased to 100 m² to allow for a suitable area to market produce in a shop environment.

CLA recommend a flexible approach to the sale of imported goods for sale in a farm shop. In order to make a retail premises viable a wide range of goods must be sold. This must not be hindered by strict rules on imported produce.

The CLA wish to point out that an agricultural holding can use current planning laws and case law in order to use an existing agricultural building, unrestricted by size as a place to sell its own grown farm produce which is ancillary to agriculture on the holding, and not be subject to business rates or change of use deemed planning permission. Under Melton Borough Council's proposed LDO, this will not change.

SUMMARY

- Request to increase floorspace.
- Suggestion of a flexible approach to the sale of imported goods for sale.
- States that "agricultural building, unrestricted by size as a place to sell its own grown farm produce which is ancillary to agriculture on the holding" is already allowed and what is on the LDO will not change this.

**9 PERMITTED DEVELOPMENT Please write below if you have any comments on section (iii):
Extensions to farm shop.**

The CLA believe the criteria of 50 m² again is too low. Allowing no greater than 100 m² would allow greater flexibility.

SUMMARY

- Request to increase floor area.

**10 PERMITTED DEVELOPMENT Please write below if you have any comments on section (iv):
Extensions to food production premises.**

No answer.

**11 PERMITTED DEVELOPMENT Please write below if you have any comments on section (v):
Change of use to existing food production facilities to shop ('factory shop').**

The CLA believe the criteria of 50 m² again is too low. Allowing no greater than 100 m² would allow greater flexibility to create a sustainable farm shop space.

SUMMARY

- Request to increase floor area.

**12 PERMITTED DEVELOPMENT Please write below if you have any comments on section (vi):
Extensions to food production premises for the provision of training facilities.**

No answer.

13 Do you have any other comments?

No answer.

ABOUT YOU

1 What is your name?

Name: Jacqueline Todd

2 What is your email address?

Email: candj.todd@btconnect.com

3 Are you responding on behalf of an organisation? If yes please state the name of the organisation.

Organisation name: Broughton and Dalby PC

LDO SURVEY

4 Do you have any general comments on the purpose of the LDO?

No

5 If you have anything to say about the environmental statement, please write it in the box below.

No answer.

6 Please write below any comments you have on the provisions and limitations of the LDO.

A concern has been raised by one of the Councillors that although the size of a single permitted development is stipulated in the LDO there does not appear to be control of multiple developments on any one site. We believe this could possibly lead to abuse over the 5 year period. To mitigate against such abuse, could the condition 2 on agricultural buildings and new agricultural buildings, stating 'the development shall not be permitted if there has been an earlier extension to an agricultural building or a new agricultural buildings erected on the site within the preceding 2 year period' be extended in the LDO to extensions to food production premises and farm shops? Furthermore we would like to see guidance for individuals and Parish Councils to follow in the event of abuse being spotted. Also could MBC advise us of what action will be taken to correct an infringement to an LDO?

7 PERMITTED DEVELOPMENT

Please write below if you have any comments on section (i): Erection and extension of farm buildings.

Should Condition 2 not state The development shall not be permitted if there has an earlier extension to an agricultural building or a new agricultural building erected on the site under an LDO within the preceding 2 year period?

SUMMARY

- Concern that there is nothing on the LDO about multiple developments on a single site, which can lead to abuse (condition 2).
- Request that the LDO include some guidance for Parish Councils in the event of abuse.

NO ANSWER ON ANY OF THE OTHER QUESTIONS.

ABOUT YOU

1 What is your name?

Name: Peter Merrick

2 What is your email address?

Email: Peter.Merrick@leics.gov.uk

3 Are you responding on behalf of an organisation? If yes please state the name of the organisation.

Organisation name: Lead Local Flood Authority

LDO SURVEY

4 Do you have any general comments on the purpose of the LDO?

National Planning Policy Framework

When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment and will not put the users of the development at risk.

Lead Local Flood Authority

The proposed Local Development Order (LDO) consists of the erection of and extension to buildings and change of use development. The proposed change of use developments are considered to be of a "less vulnerable" classification and are unlikely to have an adverse impact on surface water drainage or flood risk. The proposed erection and extension developments could potentially affect surface water drainage and flood risk through the increase of impermeable area.

In light of this, the proposed LDO will be acceptable if the following planning conditions are attached to any permission granted.

1. Advice – Discharge Rate (Condition)

The discharge rate for any proposed erection and extension developments should limit discharge to the equivalent greenfield rate.

Reason

Although the area covered by the LDO is likely to be considered brownfield, the Non-Statutory Technical Standards are written to drive development to achieve a reduction in discharge rate as close as reasonably practicable to greenfield rates. Therefore, any development under the LDO should deliver a greenfield discharge rate (or practical minimum), all other development should be considered through regular planning procedures where the "as close as reasonably practical" element can be evaluated.

2. Advice – Surface Water Flood Risk (Condition)

Any development resulting in the change of use to, or erection/extension of buildings of, a more vulnerable classification should be sited outside areas at risk of flooding as indicated by the Environment Agency's updated flood map for surface water.

Reason

To ensure more vulnerable development is not put at risk of flooding. Where more vulnerable development cannot be placed outside areas indicated as being at risk of flooding, the development proposals should be considered through the regular planning procedure.

3. Advice – Successive Development (Condition)

Any successive development made during the LDO period within individual sites that result in a combined major development should submit a surface water drainage scheme assessing the combined impact of the development.

Reason

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from successive development.

Information for LPA and Applicant

Surface Water Drainage

Any development that requires the implementation of a formal surface water drainage scheme should use the information below to guide the applicant of the level of detail required. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenario's for the 1 in 1, 1 in 30 and 1 in 100 year + climate change. Where discharging to a sewer, this should be modelled as surcharged for all events above the 1 in 30 year, to account for the design standards of the public sewers.

Reason

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

Land Drainage Consent

If there are any works proposed as part of an application which are likely to affect flows in a watercourse or ditch, then the applicant may require consent under s.23 Land Drainage Act 1991. This legislation is separate from the planning process.

Guidance on this process and a sample application form can be found via the following website:

<http://www.leicestershire.gov.uk/Flood-risk-management>

No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice.

SuDS Design and Treatment

The LLFA note that the industry best practice at the time of developing the FRA may have been CIRIA C697 in relation to the SuDS design, but that new guidance has been produced in the form of CIRIA C753. The LLFA would recommend that the SuDS designs refer to the new guidance, including where the following aspects are detailed: treatment requirements and maintenance schedules for the surface water system.

Maintenance

Please note, it is the responsibility of the LPA under the DEFRA/DCLG legislation (April 2015) that the adoption and future maintenance of SuDS features should be discussed with the developer and a suitable maintenance schedule agreed before commencement of the works.

SUMMARY

They deem the LDO acceptable if the following conditions are attached to any permission granted:

1. Advice – Discharge Rate (Condition)
The discharge rate for any proposed erection and extension developments should limit discharge to the equivalent greenfield rate.
2. Advice – Surface Water Flood Risk (Condition)
Any development resulting in the change of use to, or erection/extension of buildings of, a more vulnerable classification should be sited outside areas at risk of flooding as indicated by the Environment Agency's updated flood map for surface water.
3. Advice – Successive Development (Condition)
Any successive development made during the LDO period within individual sites that result in a combined major development should submit a surface water drainage scheme assessing the combined impact of the development.

They also include some information for the LPA and the applicant for any development that requires the implementation of a formal surface water drainage scheme should use the information below to guide the applicant of the level of detail required in the event of abuse.