

Supplementary Agenda



Meeting name	Meeting of the Planning Committee
Date	Wednesday, 7 December 2022
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH
Other information	This meeting is open to the public

Meeting enquiries	Democratic Services
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Helping people | Shaping places



Planning Committee

7 December 2022

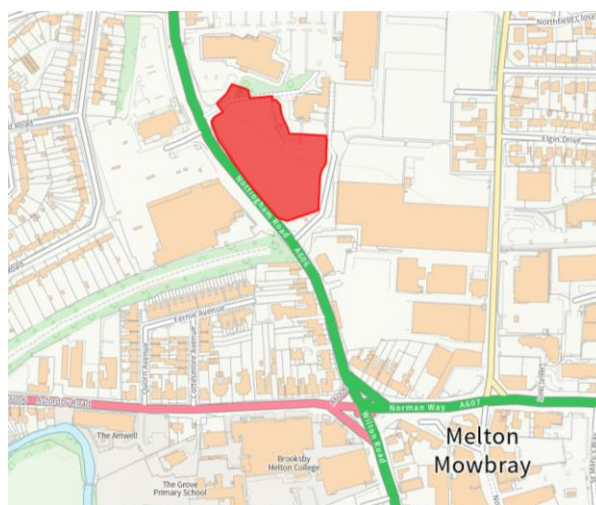
Report of: Interim Assistant Director for Planning

21/00415/FUL Redevelopment of Pera Business Park garden to 70 bed dementia care home and 22 extra care apartments with associated parking and landscaping, with access via the existing business park entrance.

Pera Business Park, Nottingham Road Melton Mowbray

Corporate Priority:	Delivering sustainable and inclusive growth in Melton
Relevant Ward Member(s):	Peter Faulkner (Melton Egerton) and Rebecca Smith (Melton Egerton)
Date of consultation with Ward Member(s):	20 May 2021
Exempt Information:	No

1 Summary



Planning Report

21/00415/FUL Redevelopment of Pera Business Park garden to 70 bed dementia care home and 22 extra care apartments with associated parking and landscaping, with access via the existing business park entrance.

- 1.1 The site is located within Melton Mowbray and forms part of Pera Business Park, to the north of the town, with good access from the Nottingham Road (A606). The site is close to a good range of services and facilities, which make the site a relatively sustainable location for further development. The site would therefore be a suitable location for assisted living accommodation geographically as residents are still likely to be mobile, albeit with limitations.
- 1.2 Pera has altered its business model in recent years and the Business Park now is largely split into smaller business units. The use of the garden which forms the application site previously provided space for outdoor events for occupiers and social use but is now largely unused.
- 1.3 Access to the site would be via the existing business park entrance.
- 1.4 The application when submitted proposed a 77-bed dementia care home and 30 extra care apartments.
- 1.5 Revisions have been made during the application process following feedback from public and statutory consultation responses, amendments that have been made are as follows
- Reduction of 15 units across the care home and associated apartments
 - Reduction in height of the assisted living apartments to 3 storeys
 - Reduction in height of the proposed care home
 - Revisions to fenestration, including south facing oriel style windows to the care home on the east facing façade (cattle market)
 - Screening to the upper garden terraces along the eastern elevation (cattle market)
 - All fixed windows along the eastern elevation (cattle market)
 - Ventilation strategy and revised noise report for a fixed shut scenario
 - Reduction in hard landscaping extents around the site, including revisions to parking and a link of the 2 central green spaces
 - Revision to parking to allow for improved landscaping
 - Increased boundary set backs to Nottingham Road and the Cattle Market.
- 1.6 The application now proposes a 70-bed dementia care home and 22 extra care apartments.

RECOMMENDATION(S)

1. Approval subject to Conditions set out in Appendix C and a Section 106 Agreement for the following:

- a) Travel Parcks for each employee to inform them what sustianble travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).**
- b) A six month bus pass per employee (one application from to be included in Travel Packs and funded by the developer (can be supplied through LCC at (average) £510.00 per pass).**

- c) **Appointment of a Travel Plan Co-ordinator from commencement of development until 5 years after first occupation. The Travel Plan Co-ordinator shall be responsible for the implementation of measures, as well as monitoring and implementation of remedial measures.**
- d) **This travel plan will be monitored by LCC Officers for the five-year duration of its life. Fees for this service are set at £6,000.00 for a travel plan.**
- e) **2 of the apartments (10% of the 22 extra care apartments) to be affordable or an off site provision in the form of dwellings or as a financial commuted sum.**
- f) **£21,077.60 contribution to East Leicestershire and Rutland Clinical Commissioning Group for the provision of a second surgery in Melton.**

2 Reason for Recommendations

- 2.1 The proposal has been amended following negotiations with the applicant and concerns raised during the consultation period and as amended would result in a form of development that would be sympathetic to the character of the locality by virtue of its appearance, landscaping and reduced scale and would not compromise residential amenity of either existing or future occupants of the area.
- 2.2 Melton has an ageing population, and the town has a need for extra care facilities to cope with the demographic change, ideally these facilities should be located no more than half a mile from the town centre, where there are no significant gradients, so that residents can visit the town centre and maintain social contact with the community.
- 2.3 The revised design and scale of the proposal has overcome initial concerns regarding the impact on the character and appearance of the site and wider locality along with the conflict between the compatibility of residential proposals alongside existing commercial land.
- 2.4 Furthermore, there have been no adverse impacts identified by statutory consultees that cannot be overcome by the provision of conditions requesting the submission of further details.
- 2.5 The proposal accords with the requirements of Policies SS1, SS2, and specifically Policy C2 with regards to proposals for retirement homes, sheltered homes and care homes.

3 Key Factors

3.1 Reason for Committee Determination

- 3.1.1 The director for Growth and Regeneration (in consultation with the Chair of Planning Committee) considers this application as likely to raise matters which should be referred to the committee.

3.2 Relevant Policies

- 3.2.1 The Melton Local Plan (MLP) 2011-2036 was adopted on 10 October 2018 and forms part of the Development Plan for the area.
- 3.2.2 The Design of Development Supplementary Planning Document (SPD) was adopted on 24th February 2022.
- 3.2.3 The local plan is up to date and consistent with the latest revised versions of Government Guidance as contained in the National Planning Policy Framework.

3.2.4 Please see Appendix E for a list of all applicable policies.

3.3 Main Issues

3.3.1 Principle of Development

3.3.2 Impact upon the character of the area

3.3.3 Impact upon residential amenities

3.3.4 Highway Safety

3.3.5 Ecology

3.3.6 Flood risk and drainage

4 Report Detail

4.1 Position under the Development Plan Policies

4.1.1 Planning law states that planning decisions must be made in accordance with the development plan unless there are material considerations which indicate otherwise (section 70(2) Town and Country Planning Act 1990 & section 38(6) of the Planning and Compulsory Purchase Act 2004).

4.1.2 The Melton Local Plan forms the key part of the development plan and was adopted on 10th October 2018 and has full weight in decision making.

4.1.3 The National Planning Policy Framework (NPPF) and the associated National Planning Policy Guidance (NPPG) are very important material considerations that carry great weight and also contain policies and advice and guidance to the decision maker.

4.1.4 The site is located within Melton Mowbray, to the north of the town, with good access from Nottingham Road (A606) and policies SS1 and SS2 of the Melton Local Plan apply which reflect the presumption in favour of sustainable development within the NPPF.

4.2 Principle of Development

4.2.1 The Leicester and Leicestershire Housing and Economic Development Needs Assessment (2017) in section 9.6 states how there is projected to be a large rise in the number of people with dementia and table 61 shows that for the Borough of Melton over the period of 2011 – 2036, this is likely to rise by 119%. Section 9.29 states “there will, however, need to be a recognition that there may be some additional need for particular groups such as those requiring specialist nursing or for people with dementia”. The Melton Borough Council Housing Needs Study (2016) in section 7.38 also states the same.

4.2.2 The applicant has commissioned a Planning Need Assessment, prepared by Carterwood, dated December 2020. The report takes into account granted planning permissions for care homes and extra care, which are yet to be implemented. In addition to the planning applications cited in the report, planning permission has been granted (on 13th April 2022) for a 60-bed care home, designed primarily to provide specialist dementia care, at the former Sandiccliffe garage site, Leicester Road, Melton Mowbray (20/01223/FUL).

4.2.3 Taking into account the additional approval (20/01223/FUL) there remains a shortfall of provision of need for particular groups such as those requiring specialist nursing.

4.2.4 The care home provision falls within use class C2 and so is not required to provide affordable housing. The extra care home provision falls within use class C3 and is required

to make affordable housing provision. Policy C4 requires any site in Melton Mowbray to make an affordable housing provision of 5-10%. This would equate to 2 of the apartments (10% of the 22 extra care apartments). On site provision is normally required in the first instance. However, off site provision in the form of dwellings or as a financial commuted sum may be considered.

4.2.5 Paragraph 4.2.1 of the adopted Housing Mix and Affordable Housing SPD does allow for circumstances where off site provision could be considered, relevant to this proposal is

- Where the number of affordable units that would result, is below the threshold of what would be commercially attractive to an affordable housing provider;
- Where the Council considers that on-site provision would not be deliverable, practical or best suited to local needs;

4.2.6 The Housing Mix and Affordable Housing SPD also allows for alternative options such as affordable units on an alternative site, purchase of land for a Registered Provider (RP) or the council, purchase of existing housing units, commuted sum or any mix of these options.

4.2.7 Given the proposed use of the site and the limitations regarding occupancy as set out in the description, dementia care home and extra care apartments, it is likely that an off site commuted sum would be the most preferable choice in this instance.

4.3 **Impact upon the character of the area**

4.3.1 Policy D1 of the Melton local Plan seeks to ensure that buildings and development are designed to reflect the wider context of the local area and respect the local vernacular without stifling innovative design.

4.3.2 The site comprises the former garden associated with Staveley Lodge. The lodge and gardens form part of the Pera Business Park and the gardens have been associated with the business units. The site is well treed and contains a number of ornamental species, it has two levels which are addressed via original garden steps and appears to have retained much of its original character with a maturity which informs and contributes to the urban landscape within this part of Nottingham Road.

4.3.3 The site contains a number of mature and protected (Tree Preservation Order) trees. A full report has been carried out and submitted as part of this application. The report has confirmed that the quality trees will be retained on site and where there is a loss of trees to development the survey has taken into account the significance, age and category of each tree, along with the addition of new planting.

4.3.4 The Pera “tower” is one of the tallest buildings in Melton Mowbray at 5 storeys high. The amended proposal now varies between 2 and 3 storeys in height for the proposed Apartments facing Nottingham Road and 2 and 4 storeys in height for the proposed care home. Given the context and character of the surroundings the proposal is not considered to be appear particularly incongruous given the scale of the buildings nearby.

4.3.5 Although the site is not identified in the Melton Local Plan as a green space, it does have an important role in informing the townscape and provides a mature tree setting to this end of Nottingham Road. It reflects the overall character of the road, which accommodates both street and front garden trees and which are an important contributor to defining the character of this part of the town.

- 4.3.6 As part of the submission an Arboricultural Survey was undertaken. The proposal and the Survey have been reviewed by Leicestershire County Council Forestry department who do not object to the proposal but have requested confirmation of native species within the replanting scheme and for a thorough Arboricultural Method Statement to be submitted by way of a condition.
- 4.3.7 Elevation details for the proposed care home show that the design has been staggered with varying heights ranging from two storey to four storey and reaching 14.5 metres in height at the tallest point (previously 15.9 metres). A mix of materials are proposed contrasting grey and buff brick have been chosen including feature coloured composite cladding, a condition is requested for the submission of material samples to be submitted prior to the commencement of development to ensure a palette that mixes with the surrounding area.
- 4.4 Elevation details of the proposed apartments again shows a staggered mix of heights but now reduced from 4 storey to 3 storeys and reaching 9.85 metres at the highest point (previously 12.85 metres). Materials for the proposed apartments have been indicated to match those proposed for the care home but again will be secured via condition.
- 4.5 It is acknowledged that the proposal would result in the loss of informal green open space and recognised that any development in this location will change the character of the area, however the green space currently associated as garden space to the Pera Building is not a protected green space which is specifically retained by policy within the Melton Local Plan, although the benefits of the garden area are recognised.
- 4.6 The proposal has been designed as two separate built forms to be developed around a central green area, this would ensure that an element of green open space is retained within the street scene and open views are achieved both towards and from the proposed green area within the development site.
- 4.7 Amendments to the proposal have also included setting the proposed apartment block back into the site to enable further landscaping to take place at the pavement edge, so whilst the built form will be viewed in the immediate street scene, its appearance will be softened by breaking up the proposed built form into two elements centred around a green area and additional planting provided within the street scene.
- 4.7.1 Whilst acknowledging the loss of informal green open space and recognition that any development in this location will change the character of the area, the reduction to the scheme along with set back from the pavement and the provision of screening, the elevation details and choice of materials will ensure that the proposal harmonises amongst its settings and is an appropriate scale and design that would accord with Policy D1 of the Melton Local Plan and the Core Design Principles of the Melton Borough Design SPD.
- 4.8 **Impact upon residential amenities**
- 4.8.1 Policy D1 states that the ‘Amenity of neighbours and neighbouring properties should not be compromised.’ Policy D1 also requires development to be managed so as to control disruption caused by construction for reasons of safeguarding and improving health well-being for all.
- 4.8.2 It is acknowledged that the site is to be positioned next to the Cattle Market and therefore additional mitigation measures are required to ensure the two uses can be compatible and will not negatively impact upon one another.

4.8.3 The proposed care home is to be set back between 4 and 7 metres from the sites boundary and the public right of way through to the cattle market, the proposed apartments are to be set back between 5 and 6 metres from Nottingham Road, both boundaries will include additional planting along with acoustic fencing proposed as part of the development.



4.8.4 For this application residential amenity would be overlooking and there may be issues with noise which are considered below

4.8.5 Firstly, looking at noise, an initial noise assessment was submitted as part of the application, through consultation with Environmental Health a revised noise report was requested and submitted for consideration.

4.8.6 Full comments from Environmental Health are detailed in appendix A of this report and it is acknowledged that further information is required to be submitted to the Local Planning Authority, however this information can be covered by condition.

4.8.7 An additional report is requested by condition to be submitted to the LPA detailing the finalised acoustics, glazing & ventilation mitigation scheme which should include

- Selected glazing for habitable rooms on a façade-by-façade basis
- Mitigation for the extra care apartments amenity spaces
- Additional mitigation options for habitable rooms on the western elevation of the extra care apartments.

4.8.8 In respect of internally generated noise, this has not been addressed in the existing acoustic reporting and further conditions are advised which are

- No development shall take place until a finalised acoustics, glazing & ventilation mitigation scheme has been submitted to and approved by the Local Planning Authority.
- No development shall take place until a scheme for the insulation of the building in respect of noise and vibration so as to provide insulation against internally generated noise has been submitted to and approved in writing by the Local Planning Authority. The scheme of works shall detail the internal layout of the building in respect of good acoustic design. Consideration needs to be given to adjacencies, both horizontal and vertical. In particular, how noise will be controlled from lifts, stairwells, external and

communal doors, corridors, boiler plant, kitchen extraction and connecting pipework etc. The approved scheme shall be completed prior to the first-floor occupation of the building and shall thereafter be retained throughout its occupation.

- 4.8.9 Based on the information above it is therefore acknowledged that there are some elements of noise that are unknown at present but this does not warrant refusal of the application, the purpose of any planning condition is to enhance the quality of a development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects.
- 4.8.10 The conditions as referenced above would serve to mitigate any adverse effects by the submission of information that would need to be formally discharged by the Local Planning Authority but in consultation with Environmental Health. It should also be noted that the noise engineers acting on behalf of the applicant is liaising with Melton Cattle Market separately.
- 4.8.11 To conclude subject to the submission of additional information in line with the consultation comments received the proposal would be in accordance with Policy D1 of the Melton Local Plan.
- 4.8.12 When turning to overlooking the following has been included as a result of initial consultation responses.
- Revisions to fenestration, including south facing oriel style windows to the care home on the east facing façade (cattle market) also fixed shut
 - Screening to the upper garden terraces along the eastern elevation (cattle market)
 - All fixed windows along the eastern elevation (cattle market)
- 4.8.13 It is acknowledged that fixed shut windows can negatively impact upon residential amenity in terms of heating, however as an additional measure a ventilation strategy has been submitted by the applicant. Window shading treatment is also included to reduce solar gain to some of the rooms.
- 4.8.14 A natural ventilation approach has been chosen as the main strategy for reducing the risk of overheating to the rooms and many rooms in the main building, and all the rooms in the residential building are proposed to be cooled in this manner.
- 4.8.15 In the main building, some areas will have restricted windows, or a high internal heat gain (for instance the administration areas). In these rooms natural ventilation may not be sufficient and therefore additional mechanical cooling will be required, this will be provided using externally mounted high efficiency reversible heat pumps.
- 4.8.16 It is considered that taking the above mitigation measures along with a condition requiring the provision of final details, the proposal could achieve a development in accordance with Policy D1 of the Melton Local Plan in terms of amenity of neighbours and neighbouring properties not being compromised by this development.

4.9 Sustainability

- 4.9.1 Policy EN9 – Ensuring Energy Efficient and Low Carbon Development states that Major development proposal will be required to demonstrate how the need to reduce carbon emissions has influenced the design, layout and energy source used, subject to viability.

- 4.9.2 The proposal includes low carbon heat pumps which will provide the primary heat for heating and hot water.
- 4.9.3 47 Roof mounted photovoltaic panels will be added to the roof of the main building and 32 panels will be added to the apartment building reducing both the energy consumption and carbon emissions of the proposed development.
- 4.9.4 Areas provided with supply ventilation will benefit from high efficiency heat recovery to transfer waste heat from the exhaust air into the supply air
- 4.9.5 The residential building apartments will benefit from the whole house mechanical heat recovery ventilation systems which will recover the waste heat from the exhaust air and transfer it into the incoming fresh air. As well as improving air quality in the areas, the applicant advises that the system reduces energy use in reheating incoming external air. Within the main building, local mechanical extract ventilation will be provided to all welfare facilities.
- 4.9.6 Lighting, both internal and external, will benefit from fully LED fittings, providing a long life as well as low power requirements.
- 4.9.7 External lighting would be limited to the access road, carpark areas and pathways around the building provided by settings on a time clock and also ambient light sensors to only be activated when light falls.
- 4.9.8 Active electric vehicle charging will be provided
- 4.9.9 Water reduction is proposed using low-capacity WC's, low flow taps and showers
- 4.9.10 Green roofs are proposed to improve insulation levels within the buildings along with proposals for rainwater retention within the site.
- 4.9.11 The measures as set out above would achieve a good level of both renewable and low carbon energy and are considered to be in line with tackling climate change and the aspirations of both the Melton Local Plan and declared climate emergency of Melton Borough Council.
- 4.10 **Highway Safety**
- 4.10.1 Policy D1 states that development proposal should include appropriate, safe connection to the existing highway network and should make adequate provision for car parking.
- 4.10.2 Policy IN2 requires that development does not unacceptably impact on the safety and movement of traffic on the highway network and provide appropriate and effective parking provision and servicing arrangements.
- 4.10.3 The site will be accessed via an existing signalised crossroads, providing access into the PERA Business Park. The access is approximately 7m in width with 2m footways located on either side of the road. The site will be located off a new driveway on the southern side of the PERA access.
- 4.10.4 Revisions have been made to the parking as a result of the amended proposal, the combined effect of the changes to the care home and associated apartments is a loss of 15 units, therefore 5 parking spaces have been omitted from the proposal (rate of 1 bay per 3 units), which has also allowed for improvements to the landscaping scheme.

- 4.10.5 A total of 46 Parking bays are now proposed as part of this application which includes disabled vehicle parking spaces and one being a space designed for ambulances. Covered cycle parking and a mobility store will be provided in close proximity to the site entrance
- 4.10.6 A transport statement has been provided as part of the application submission and the proposal reviewed by Leicestershire County council who have reviewed the amended application and have concluded that the proposal will have no impact on the public highway and advise approval subject to conditions and contributions.
- 4.10.7 Given the above advice and with the recommended conditions attached to any grant of planning permission, it is considered that the proposal would comply with the overall aims of Policies D1 and IN2 and would be acceptable from a Highway safety perspective.

4.11 Ecology

4.11.1 A preliminary ecological appraisal has been submitted as part of this application and reviewed by Leicestershire County Council as the specialists within this area, the County Council have recommended conditions to be attached to any permission granted these are as follows

- The recommendations in the bat report (Brindle & Green, October 2020: Section 7).
- The recommendations regarding reptiles in the ecology report (Brindle & Green, March 2020: Section 7.4).
- Installation of min. 3 groups of swift boxes/bricks in suitable positions on proposed buildings.

4.11.2 The following is an extract from the submitted ecological appraisal highlighting the ecological issues recommended for further consideration as a result of the initial investigation

Ecological Consideration	Recommendations	Timing
Breeding birds	Reasonable avoidance measures	April – June – Four visits
Roosting bats	Seven moderate suitability trees should be subject to two further surveys each to ascertain the presence or absence of roosting bats. Seven low suitability trees should be subject to reasonable avoidance measures should any of these trees be subject to removal	May-September Before development
Foraging and commuting bats	Full suite of transect surveys	May – September – Four visits
Reptiles	Reasonable avoidance measures.	Year Round

4.11.3 A phase 1 habitat survey was undertaken of the site to establish the presence and distribution of habitat types within the site and potential ecological constraints to development. The survey was extended to note the potential for habitats on site to support protected and/or notable species and for evidence of any such species. Hedgerows on site were assessed following the Hedgerow Survey Handbook (DEFRA 2007).

4.11.4 A note to the applicant should permission be granted has also been suggested stating the following

I would like to draw the Applicants attention to the other recommendations in the ecology report (Brindle & Green, March 2020: Section 7.1). in addition, as swifts are known to be present in the area, if works affecting the building are to take place during the bird-nesting season (March to July inclusive) then the building should be checked for nests prior to commencement. If any nests are found during the works, an appropriately qualified ecologist should be consulted. Netting to prevent bird nesting may only be done with prior approval of the LPA.

4.11.5 Following the submission of revised drawings, further consultation was undertaken with LCC Ecology who concluded that their position had not changed and whilst further information was required with regards to full details, LCC Ecology are happy for the additional information to be subject to planning conditions. The Local Planning Authority are satisfied that the Preliminary Ecological Survey undertaken includes a competent assessment of the site, along with a robust survey of existing habitat types and the conditions suggested would ensure that appropriate measures are put in place to mitigate harm to species on site and consider the proposal acceptable on this basis.

4.12 **Flood Risk/Drainage**

4.12.1 A drainage strategy has been submitted as part of the planning application, the conclusion of which is included below

“Mewies Engineering consultants Ltd (M-EC) has undertaken a Flood Risk Assessment as part of the application for a care development at Pera Business Park, Nottingham Road, Melton Mowbray. This assessment has been undertaken to ascertain the constraints of the development to the site and to assess the impact of the design, with respect to flood risk.

- All development is located within Flood Zone 1 and is therefore compatible with a “more vulnerable” development in line with policy guidance.
- The site is at very low risk from surface water flooding.
- The risk of flooding from all other sources is low.
- Surface water runoff generated at the site will be conveyed and stored within the proposed geo-cellular tanks on site. Surface water stored within the proposed geo-cellular tanks will discharge into the existing 525mm surface water sewer sough of the site at a Greenfield QBAR rate of 4.6l/s via a swale and attenuation basin.
- A total storage volume of 270.00m³ will be available within the proposed geo-cellular tanks to manage flows generated for events up to and including the 1 in 100 year plus 40% climate change storm.
- In addition to the geo-cellular tanks, there will be permeable paving, an attenuation basin and swale on site which will provide surface water treatment and minor additional storage.

- The disposal of foul water from the site will be via a new proposed connection into the existing 300mm combined sewer within Nottingham Road upstream, of manhole 9501. Given the site levels, a gravity connection can be achieved to the new proposed manhole connection”.

4.12.2 The drainage strategy has been reviewed by both Severn Trent and the Lead Local Flood Authority, Severn Trent have commented that a formal section 106 sewer connection approval will be required and that due to the size of this development a sewer modelling study is required to determine the impact this development will have on the existing system and if flows can be accommodated.

4.12.3 In response to the comments of Severn Trent, the applicant has already made contact with Severn Trent relating to outfalls which did flag that sewer modelling would be required. The applicants are accepting of a condition requiring the modelling exercise to be undertaken and if this flags that improvements to the foul network are required, then they are understanding that a connection won't be available until works are undertaken and capacity is made available.

4.12.4 Section 106 of the Water Industry Act 1991 provides and governs the right to communicate with public sewers and subject to the provisions of the legislation an owner/occupier of a premises or the owner of any private sewer which drains premises shall be entitled to have his drains or sewers communicate with the public sewer of any sewerage undertaken and thereby to discharge foul water and surface water from those premises or that private sewer.

4.12.5 The drainage strategy provided, and the proposed features highlighted above aligns with the requirements of Policy EN12 – Sustainable Drainage Systems which requires major developments to demonstrate through a surface water drainage strategy that properties will not be at risk from surface water flooding allowing for climate change effects.

4.12.6 Accordingly subject to the inclusion of conditions the proposal is considered acceptable and will not increase flood risk and will manage surface water through the strategy submitted.

5 Consultation & Feedback

5.1 A site notice was posted on 25 May 2021 and advertised in The Melton Times, 3 letters of objection have been received from 3 separate households and one neutral letter. Details are contained within Appendix B

6 Financial Implications

6.1 No financial implications have been identified

Financial Implications reviewed by: N/A

7 Legal and Governance Implications

7.1 No legal or governance issues have been identified.

Legal Implications reviewed by: Tom Pickwell (Solicitor)

8 Background Papers

8.1 None applicable to this application.

9 Appendices

Appendix A Consultation Replies Summary

Appendix B Summary of representations received

Appendix C Recommended Conditions

Appendix D Applicable Development Plan Policies

Report Author:	Louise Parker , Planning Development Manager
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Chief Officer Responsible:	Paul Feehily , Interim Assistant Director for Planning
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Appendix A: Consultation Replies Summary

Local Highway Authority: The Local Highway Authority Advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other development, the impacts on the road network would not be severe.

Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021), subject to the conditions and/or planning obligations outlined in this report.

Background

The Local Highway Authority (LHA) has been re-consulted on a full planning application for the redevelopment of Pera Business Park garden to a 77 bed dementia care home and 30 extra care apartments with an overall gross floor internal area (GIFA) of 6,763 sqm with associated parking and landscaping, with access via the existing business park entrance. The site is located at Pera Business Park, Nottingham Road, Melton Mowbray.

In its previous comments dated 23 November 2021, the LHA advised approval subject to conditions and contributions.

The LHA understand amended plans have now been submitted to Melton Borough Council in support of this planning application and these highway observations are in response to the following documents.

- Proposed Site Plan, drawing no. 7568-03-003 Rev H; and
- Proposed Entrance & Vehicle Tracking, drawing no. 7568-03-013 Rev B

Having reviewed the submitted documents, the LHA have no additional comments as the changes will have no impact on the public highway and therefore continue to advise approval subject to conditions and contributions as advised previously with the latest site plan conditioned.

Conditions

1 No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

2. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Proposed Site Plan drawing number 7568-03-003 Rev H. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

3. No part of the development hereby permitted shall be first occupied until a framework/full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2021).

Contributions

The provision of:

- a) Travel Packs for each employee to inform them what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).
- b) A six-month bus pass per employee (one application from to be included in Travel Packs and funded by the developer (can be supplied through LCC at (average) £510.00 per pass).
- c) Appointment of a Travel Plan Co-ordinator from commencement of development until 5 years after first occupation. The Travel Plan Co-ordinator shall be responsible for the implementation of measures, as well as monitoring and implementation of remedial measures.
- d) This travel plan will be monitored by LCC Officers for the five-year duration of its life. Fees for this service are set at £6,000.00 for a travel plan.

Justification: in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, reducing car use, to enable Leicestershire County Council to provide support to the appointed Travel Plan Co-ordinator, audit annual Travel Plan performance reports to ensure that Travel Plan outcomes are being achieved, and to take responsibility for any necessitated planning enforcement and to ensure effective implementation and monitoring of the Travel Plan submitted in support of the Planning Application.

East Leicestershire and Rutland Clinical Commissioning Group

East Leicestershire and Rutland Clinical Commissioning Group (ELR CCG) is responsible for primary medical care for the population residing within this development under its delegated responsibility under co-commissioning.

As part of the responsibility ELR CCG financially support estates infrastructure based on need but limited by budgetary constraints. In order to manage the estates provision effectively ELR CCG will continue to request Section 106 contributions.

The development is proposing up to 70 units which, when based on the fact that this is a care home for dementia patients likely to have high demand for primary health care provision, we have applied 1 patient per bedroom which would result in an increased patient population of approximately 70. Any increase to the population that the Practice covers will mean that the practice will have to provide additional capacity to cope with the population growth and the funding request is for a second surgery in Melton Mowbray.

MBC Regeneration Officer 7 September 2021: The regeneration team at Melton Borough council generally welcomes the proposed plans at PERA as it provides a mix of uses in an edge of a town centre location that will generate additional spend and footfall into the town over the foreseeable future.

However, the regeneration team believe this development needs to be managed to ensure no future inadvertent knock-on effects that will ultimately be to the detriment of the market, how it functions and ultimately how successful it can be as it is a key economic generator for not only the town but the wider borough.

It is believed that the care home block, in its current proposed position, is currently situated too closely to the livestock market. The cattle market is fully operational twice weekly livestock auction days, not to mention farmers markets and other antiques fayres taking place regularly on site. Alongside, this the area hosts several regional events throughout the year and is developing into something of a food and drinks enterprise hub with recent investment secured to attract more evening based businesses to the site to drive the towns evening economy. Due to this the market will create higher than normal levels of noise throughout the year which invariable leads to complaints despite the livestock market has been in situ for hundreds of years.

As identified the livestock market is critical to Melton's success and due to this, we would not wish any development at the PERA site to generate large number of complaints which could jeopardise the existing and planned uses of the market. Due to this we believe the layout should be reconsidered to generate an additional sound boundary between the cattle market and also other mitigation measures such as appropriate landscaping between the facilities and appropriate choice of building materials etc.

County Council Ecology: I have referred to my colleague's comments made on 8 June 2021, and she was satisfied with the ecology information provided, and did not require any further surveys.

The landscape strategy is acceptable in this urban location. The SUDS features represent the main opportunity for enhancing wildlife but detailed designs will be needed in order to assess the value of this.

Note that bat surveys may be required of any trees that will be removed – refer to the Bat survey report for more information. I recommend this is a planning condition.

I note that a plan showing bat and bird locations has been produced. To review this, I do need some further information because I can't work out what the red/blue dots represent. The swift boxes should be placed in a group of three or more, separate to the bat boxes, rather than being scattered through the site. My apologies if I have missed

something – but I think this will need revisions to be acceptable. The bat boxes are fine on trees, but not swift boxes. The bat brick illustrated could not be placed on a tree. The position of the tree is also important – I cannot tell if the trees are suitable.

I feel that the input from an ecologist is needed to assist in placing these bird and bat boxes.

I do note, however, that my colleague was happy for this to be subject to planning condition and I do agree with this.

County Council Forestry: The landscape proposals on the whole are acceptable and the proposal to add to the existing Lime Avenue and the introduction of Black Poplars (if confirmed Native Black Poplar) to the site, both being of significant benefit to the site.

However, I would object to the use of a monoculture Holly Hedge at the frontage of the site along Nottingham Road. A range of mixed species trees and shrubs are to be removed from this area of the site, I would recommend that this is replaced with a mixed species hedgerow.

The Arboricultural Assessment provided is acceptable, and LCC Forestry agree with the categorisation of the trees. Should the application move forwards a thorough Arboricultural Method Statement should be submitted demonstrating the methodologies to be utilised to protect the retained trees throughout the course of the development.

Lead Local Flood Authority (LLFA): Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the site is located within Flood Zone 1 being at low risk of fluvial flooding and at low risk of surface water flooding. The applicant has provided a drainage strategy to discharge into a public sewer at Qbar via on site attenuation tanks for storage as well as a swale and attenuation basin for treatment. Acceptance in principle of the sites eventual outfall from Severn Trent Water has been provided.

Subsequent to the previous LLFA response the applicant has submitted new and amended drawings, including an updated site plan. Having checked this with what was submitted in the Flood Risk Assessment previously, it is advised that the changes do not impact on surface water drainage details all read supported by the LLFA. Therefore, the LLFA advice remains unchanged.

Note: The wording of our standard conditions has changed since our previous response and as such. The LPA should ensure the following conditions are applied and not those recommended previously.

Advised Conditions

1. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.
Reason: to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
2. No development approved by this planning permission shall take place until such

time as details in relation to the management of surface water on site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.

3. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: to establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

Severn Trent: with reference to the above planning application the Company's observations regarding sewerage are as follows.

Foul is proposed to connect into the public combined water sewer, which will be subject to a formal section 106 sewer connection approval.

Surface water is proposed to connect into the public surface water sewer, which will be subject to a formal section 106 sewer connection approval. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable method should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered.

Due to the size of this development a sewer modelling study is required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected.

For the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

Suggested Informative

Severn Trent Water advises that although our statutory sewer records do not show any public sewers within the area you have specified. Due to recent change in legislation,

there could be sewers, which have transferred over to the Company that are not shown on the statutory sewer records but may be located on your client's land. These sewers will have protective strips that we will not allow to be built over. The sewers could be identified whilst the land is being surveyed. If this is the case, please contact us for further guidance upon discovery.

Please note there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where a diversion is required, there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

Environmental Health Officer: on behalf of Environmental Health and as statutory consultee to the Local Planning Authority, I make the following comments and observations.

Environmental health submitted initial consultation comments on this full application in September 2021. A revised noise report has been submitted to the LPA. This report has been undertaken by Tetra Tech ref 784-B028453 dated May 2022. Environmental Health also provide Tetra Tech with acoustic data pertaining to diesel engine driven jet washers used at Melton Cattle Market. I understand Tetra Tech have been liaising with Melton Cattle Market. As such, the revised noise report should reflect all relevant noise generating activities at the Market.

Legislative Context

Addition of ProPG& AVO noted.

Assessment Criteria

Table 2.1 is still contrary to Planning Policy.

Assessment Methodology

Monitoring position SN5 still does not exist.

Table 3.7 lists Melton Cattle Market noise sources. Excluding EH provided data, the origin of the remaining dataset is unknown. It isn't known if the data is site specific – collated by Tetra Tech at the Cattle Market, or surrogate data – obtained by a third party from a donor site. Even the most basic information on data acquisition such as 'where', 'when', 'how' is absent. The dataset is prima facie, arbitrary. Confidence in the dataset is low.

This criticism extends to section 3.2.4 – Sainsbury's Service Yard, and I refer to my previous consultation comments:

"The use of surrogate data is acceptable but only where it is demonstrably representative. The source of the data should be disclosed, and the survey/data attached as an appendix (or referenced and made available on request)."

This information has still not been provided, nor has suitability of the data been justified. Confidence in the dataset is low.

Tetra Tech's data handling falls short of acceptable acoustic standards.

Assessment – Internal

The ProPG assessment is medium risk.

Table 5.1, 5.2 & 5.3 are accepted. It is understood that the assessment findings – predicted noise levels at receptors R01-R14, are inclusive of all noise sources during their respective day/night periods. As such, it is considered a robust assessment and on-site noise levels are likely to be lower with occasional periods at the calculated higher levels, e.g., Market Day.

The findings are that all windows will need to be closed to achieve acceptable internal noise levels. This is a 'windows closed' acoustic mitigation solution. Habitable rooms on some facades will require enhanced glazing.

On balance, uncertainty associated with low confidence datasets are unlikely to materially change the assessments findings on this occasion.

Assessment – External

The findings are that the majority of on-site amenity spaces (communal and private) are likely to experience noise above recommended external noise levels. The recommended noise level LAeq 55dBA may not be achievable on all occasions. Higher noise levels should be considered in context, e.g. The benefits of the locality, the functionality of the amenity space and access to communal/public open spaces.

It is acknowledged that all residents will have access to the communal grounds. Tetra Tech's suggestion of residents making use of the communal care home roof top terraces is not accepted. The extra care residents are unlikely to use these spaces. They might make use of local facilities such as Melton's parks which would be really accessible as a benefit or urban living.

However, PPG – Noise also states:

'Where external amenity spaces are an intrinsic part of the overall design, the acoustic environment of those spaces should be considered so that they can be enjoyed as intended.'

It is evident that the terraces and balconies of the extra care apartments are sizable and dedicated private amenity spaces which, unlike the care home terraces, are likely to be regularly used as enjoyed. As such, Tetra Tech's 'do nothing' approach is not accepted. Whilst recommended external noise levels might not be achievable, the developer is required to consider mitigation to minimise and reduce noise impacts, e.g., Continuous glass balustrades to provide acoustic relief in a seated position.

AVO – Acoustics, Ventilation and over Overheating

Planning Practice Guidance – Noise states.

'Whether any adverse internal effects can be completely removed by closing windows and, in the case of new residential development, if the proposed mitigation relies on windows being kept closed most of the time (and the effect this may have on living

conditions). In both cases a suitable alternative means of ventilation is likely to be necessary. Further information on ventilation can be found in the Building Regulations.’

Building Control: Approved Document - F describes three types of ventilation; extraction, whole dwelling and purge. AD-F section 4.16 states:

“For naturally ventilated buildings, it is common to use a combination of ventilators to achieve this strategy (e.g., for dwellings it is common to use intermittent extraction fans for extract ventilation, trickle ventilators for whole dwelling ventilation and windows for purge ventilation).”

This is known as ‘system 1’. In respect of purge ventilation AD-F section 5.7 states: “Purge ventilation provision is required in each habitable room and should be capable of extracting a minimum of four air changes per hour (ach) per room directly to outside. Normally, openable windows or doors can provide this function, otherwise a mechanical extraction system should be provided’.

And Section 4.8:

“Purge ventilation provision may also be used to improve thermal comfort, although this is not controlled under the Building Regulations.”

As such, where a windows closed acoustic mitigation solution is proposed, ventilation and overheating must also be considered. This includes purge ventilation for the regulation of thermal. Tetra Tech’s AVO assessment is noticeable absent.

Developers may either:

- (1) Install mechanical extraction to habitable rooms subject to windows closed mitigation or
- (2) Perform the AVO stage 2 assessment to determine the noise impact should windows be opened for purge ventilation during an overheating event.

As Tetra Tech has not performed a stage 2 AVO assessment, mechanical extraction should be provided. A ventilation strategy has been submitted to the LPA. This report has been undertaken by The Engineering Workshop dated May 2022.

It is understood that habitable room on the care room eastern elevation will be served by a dedicated air handling system with a reversible heat pump to provide additional mechanical cooling. This is acceptable. The strategy doesn’t make clear whether the remaining care home elevations will benefit from MVHR.

It is understood that all habitable rooms on all elevations of the extra care apartments will benefit from MVHR. This is AD-F System 4. Whilst System 4 MVHR is for whole building ventilation, the pre-cooling of intake air will assist in mitigating overheating. However, for habitable rooms of the extra care western elevation, additional mitigation measures are strongly advised.

The apartments on the western elevation are orientate southwest towards Nottingham Road and are (a) likely to pick up significant thermal gains during the long summer evenings and (b) most exposed to road traffic noise. These apartments are particularly

vulnerable to overheating and adverse noise impacts during overheating events. Additional mitigation measures should seek to:

- (1) reduce noise exposure
- (2) reduce thermal gains
- (3) increase ventilation/cooling

I refer to the suggested measures (1-4) in the Ventilation Strategy.

Summary

An additional report should be submitted to the LPA detailing the finalised acoustics, glazing & ventilation mitigation scheme. This should include:

- (1) Selected glazing for habitable rooms on a façade-by façade basis.
- (2) Mitigation for the extra care apartments amenity spaces
- (3) Additional mitigation options for habitable rooms on the western elevation of the extra care apartments

In respect of internally generated noise – this has not been addressed in the existing acoustic reporting. See conditions below. The developer/consultant is advised to contact Environmental Health to discuss requirements.

Conditions

No development shall take place until a finalised acoustics, glazing & ventilation mitigation scheme has been submitted to and approved by the Local Planning Authority

No development shall take place until a scheme for the insulation of the building in respect of noise and vibration so as to provide insulation against internally generated noise has been submitted to and approved in writing by the Local Planning Authority. The scheme of works shall detail the internal layout of the building in respect of good acoustic design. Consideration needs to be given to adjacencies, both horizontal and vertical. In particular, how noise will be controlled from lifts, stairwells, external and communal doors, corridors, boiler plant, kitchen extraction and connecting pipework etc. The approved scheme shall be completed prior to the first occupation of the building and shall thereafter be retained through its occupation.

No burning of any materials shall take place on the site at any time

No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority for the suppression of dust from the site; all agreed details shall be implemented throughout the course of the development

Informative

In order to protect the natural environment from the effects of 'skyglow', the applicant is advised to consult with a lighting engineer to ensure that all exterior lighting is of a

suitable type, number and luminous power and all luminaries are suitably located, mounted, orientated and shielded.

MBC Housing Policy Officer 9 July 2021

The proposal for the 77 bedrooms is for them to have en-suite wet rooms and the accommodation will be designed to be flexible to provide units for specialist nursing and dedicated dementia care.

The proposal for the 30 extra care apartments will provide a combination of one- and two-bedroom units, designed to enable older people to downsize and access care and support provided from the on-site care team.

The Leicester and Leicestershire Housing and Economic Development Needs Assessment (2017) in section 9.6 states how there is projected to be a large rise in the number of people with dementia and table 61 shows that for the Borough of Melton over the period of 2011-0236, this is likely to rise by 119%. Section 9.29 states “there will, however, need to be a recognition that there may be some additional need for particular groups such as those requiring specialist nursing or for people with dementia”. The Melton Borough Council Housing Needs Study (2016) in section 7.38 also states the same.

The applicant has commissioned a Planning Need Assessment, prepared by Carterwood. The report is dated December 2020. This is a through report which shows there is an under supply of market standard care beds and extra care provision to meet current and future needs. The report also takes into account granted planning permissions for care homes and extra care, which are yet to be implemented. In conclusion, this application is supported.

Melton Local Plan Policy C2: Housing Mix

Policy C2 states “proposals for retirement homes, sheltered homes and care homes will be supported and encouraged to meet the technical standard for access of Building Regulations 2015 Part M4 (2) or any subsequent revisions”.

Melton Local Plan Policy C4: Affordable Housing

This care home provision falls within use class C2 and so is not required to provide affordable housing.

The extra care home provision falls within use class C3 and is required to make affordable housing provision. Policy C4 requires any site in Melton Mowbray to make an affordable housing provision of 5-10%. This would be up to 10% of the 30 extra care apartments, equating to 3 of the apartments. On site provision is normally required in the first instance. However, off site provision in the form of dwellings or as a financial commuted sum may be considered.

Housing Policy Officer 22 September 2022

The housing policy comments should be read in conjunction with the comments dated 9th July 2021.

The proposal is now for a 70-bed care and 22 extra care apartments

The Leicester and Leicestershire Housing and Economic Development Needs Assessment (2017) in section 9.6 states how there is projected to be a large rise in the number of people with dementia and table 61 shows that for the Borough of Melton over the period of 2011-2036, this is likely to rise by 119%. Section 9.29 states “there will, however, need to be a recognition that there may be some additional need for particular groups such as those requiring specialist nursing or for people with dementia”. The Melton Borough Council Housing Needs Study (2016) in section 7.38 also states the same.

The applicant has commissioned a Planning need Assessment, prepared by Carterwood, dated December 2020. The report takes into account granted planning permissions, for car homes and extra care, which are yet to be implemented. In addition to the planning applications cited in the report, planning permission has been granted (on 13th April 2022) for a 60-bed care home, designed primarily to provide specialist dementia care, at the former Sandiccliffe garage site, Leicester Road, Melton Mowbray (20/01223/FUL).

Melton Local Plan Policy C3: National Space Standards and Smaller Dwellings.

Bedrooms need to be at least 12 square metres in size plus en-suite facilities, and at least 4.1 square metres of communal space (excluding corridors and entrance halls) per resident. I recommend the extra care apartments meet the minimum Nationally Described Space Standards.

Melton Local Plan Policy C4: Affordable Housing

The affordable housing requirement will now be 2 of the apartments (10% of the 22 extra care apartments). On site provision is normally required in the first instance. However, off site provision in the form of dwellings or as a financial commuted sum may be considered.

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Appendix B: Summary of representations received

Four comments received have been received from for households, three object, and one neutral of the proposal as summarised below.

Objections:

The area acts as a vital green space to offset some of the pollution within this already heavily commercial area.

Valuable outside space for people working at the Business Park

No nearby alternative to use within the constraints of a working day.

The trees are a valuable asset in this area and need to be retained.

Pleasant site in an already seemingly overbuilt part of the town

Environmental and historical impact of the loss of this area would be detrimental

Noise from the market is misrepresented and therefore a risk that residents will be disturbed by existing noise.

Noise survey describes market as operation only two days a week from 08.30-1.30 the gates open at 6am and sales can finish at 6pm.

Some livestock arrives for markets the day before and some leaves the day after

There is a wash-down of both the market and vehicles all week in the daytime and evenings.

Vital that potential disturbance is recognised at its maximum at the beginning so that any development is designed and built appropriately.

Objection to vehicle and pedestrian access from cattle market access road due to large lorries moving at all times of the day and currently unused by Pera and not used in previous years

Would not contribute to the regeneration of the town.

Poor flow of traffic on Nottingham Road

Likely to cause businesses to relocate and, in some cases, out of the Melton area.

Neutral comment:

Recognise need for additional capacity for older peoples housing and need for PERA to maintain a profitable company.

Concern regarding the loss of important green space,

The space forms an important biodiversity corridor north/south and east/west. The proposal must ensure that improvements in biodiversity are incorporated into the plan.

The provision of a pond is welcome and should be an integral part of the SUDS scheme, including some wetland areas.

Mature trees should be retained, and parking could be reduced to maintain additional green space.

A biodiversity net gain should be sought as the site is part of an important biodiversity corridor.

The massing of the building is too imposing.

Concerns for overheating of the properties, as they face almost full west.

Design should be focused on addressing climate change.

Design of the entrance into PERA should be considered.

Road is difficult to cross and pavement outside is narrow

Entrance splay should be reduced to reduce traffic speed and pavements should be widened.

Welcome addition of renewable energy

Provision of electric vehicle charging should be considered in addition

Building should if possible, aim to be carbon neutral and reach specifications comparable to BREEAM

Appendix C: Recommended Conditions

1. The development shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

2. The proposed development shall be carried out strictly in accordance with the following documents and drawings;

Site Location plan 7568-001 A

Proposed Site Plan 7568-003H

Plans apartments sheet 1 7568-004C

Plans apartments sheet 2 7568-005C

Plans Care Home sheet 1 7568-008D

Plans Care Home sheet 2 7568-009D

Elevations Care Home 7568-010F

Elevations Street scene 7568-011A

Bat Box Locations 7568-012B

Vehicle Tracking 7568-13B

Context Plan and boundaries 7568-14C

784-B029453 – Noise Report May 22

Brindle and Green Bat Survey

Brindle and Green Ecology Survey

Symbiosis Tree Survey

25723-08-TS-01 Transport Statement

25723-08-TP-01 Travel Plan

25723-01-FRA-01 Flood Risk

11834_2a_Topographical

2220-TEW-ZZ-XX-RP-M-Ventilation Strategy -SO-P03

2220-TEW-ZZ-XX-RP-M-Sustianblility Statement -SO-P02

1184 001 A Landscape Strategy

Reason: For the avoidance of doubt

3. No development shall progress above damp proof course level until details and representative samples of the materials to be used in the construction of the external walls and roof have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of external appearance.

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

Reason: To provide a reasonable period for the replacement of any planting.

5. No development shall commence on site until all existing trees that are to be retained 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 5cms or more shall be left un-severed.

Reason: to ensure that existing trees are adequately protected during construction I the interests of the visual amenities of the area.

6. Prior to the commencement of above ground level works associated with the development approved, full details and specifications of all solar panels, air source heat pumps and electrical vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

7. Prior to the commencement of development, a thorough Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of retained trees and in the interests of visual amenity.

8. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

9. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Proposed Site Plan drawing number 7568-03-003 Rev H. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable

vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

10. No part of the development hereby permitted shall be first occupied until a framework/full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2021).

11. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Reason: to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

12. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.

13. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: to establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

14. No development shall commence on site until a sewer modelling study is submitted to and approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure appropriate provision is secured for the development.

15. The development hereby approved shall be carried out in the accordance with the recommendations in the bat report (Brindle & Green, October 2020: Section 7)

Reason: To ensure the protection of protected species

16. The development hereby approved shall be carried out in accordance with the recommendations regarding reptiles in the ecology report (Brindle & Green, March 2020: Section 7.4)

Reason: To ensure the protection of protected species

17. No development shall take place until a plan demonstrating the amount and position of swift boxes has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of wildlife in this location.

18. No development shall take place until a finalised acoustics, glazing & ventilation mitigation scheme has been submitted to and approved by the Local Planning Authority

Reason: In the interests of environmental protection and to ensure the protection of amenities

19. No development shall take place until a scheme for the insulation of the building in respect of noise and vibration so as to provide insulation against internally generated noise has been submitted to and approved in writing by the Local Planning Authority. The scheme of works shall detail the internal layout of the building in respect of good acoustic design. Consideration needs to be given to adjacencies, both horizontal and vertical. In particular, how noise will be controlled from lifts, stairwells, external and communal doors, corridors, boiler plant, kitchen extraction and connecting pipework etc. The approved scheme shall be completed prior to the first occupation of the building and shall thereafter be retained through its occupation.

Reason: In the interests of environmental protection and to ensure the protection of amenities

20. No burning of any materials shall take place on the site at any time

Reason: In the interests of environmental protection and to ensure the protection of amenities

21. No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority for the suppression of dust from the site; all agreed details shall be implemented throughout the course of the development

Reason: In the interests of environmental protection and to ensure the protection of amenities

22. The development hereby permitted shall only be used as a Care Home within Use Class C2 and extra care apartments within Use Class C3 of the Town and Country Planning (Use Classes) Order 2020 (as amended) and for no other purposes.

Reason: For the avoidance of doubt and to ensure sufficient infrastructure is available to further occupants of the site.

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Appendix D: Applicable Development Management Policies

Local Plan Policies

SS1: Presumption in favour of Sustainable development

SS2: Development Strategy

C2: Housing Mix (relevant to market and affordable housing)

C3: National Space Standard and Smaller Dwellings (relevant to market and affordable housing)

C4: Affordable Housing (5%-10% in Melton Mowbray)

C9: Healthy Communities

D1: Raising the Standard of Design

EC1: Employment Growth in Melton Mowbray

EN2: Biodiversity and Geodiversity

EN6: Settlement Character

EN8: Climate Change

EN9: Ensuring Energy Efficient and Local Carbon Development

EN12: Sustainable Drainage Systems

IN1: Melton Mowbray Transport Strategy

IN2: Transport, Accessibility and Parking

IN3: Infrastructure Contributions and Community Infrastructure Levy

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