



*Rural Capital of Food*

# Agenda

<b>Meeting name</b>	<b>Planning Committee</b>
<b>Date</b>	<b>Thursday, 15 November 2018</b>
<b>Start time</b>	<b>6.00 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH</b>
<b>Other information</b>	<b>This meeting is open to the public</b>

Members of the Planning Committee are invited to attend the above meeting to consider the following items of business.

**Edd de Coverly**  
**Chief Executive**

## Membership

<b>Councillors</b>	J. Illingworth (Chair)	P. Posnett (Vice-Chair)
	P. Baguley	T. Bains
	G. Botterill	P. Cumbers
	P. Faulkner	M. Glancy
	T. Greenow	E. Holmes
	B. Rhodes	

**Quorum:** 4 Councillors

<b>Meeting enquiries</b>	Development Control
<b>Email</b>	externaldevelopmentcontrol@melton.gov.uk
<b>Agenda despatched</b>	Wednesday, 7 November 2018

No.	Item	Page No.
1.	<b>APOLOGIES FOR ABSENCE</b>	
2.	<b>MINUTES</b> To confirm the minutes of the previous meeting 18 <sup>th</sup> October 2018	1 - 12
3.	<b>DECLARATIONS OF INTEREST</b> Members to declare any interest as appropriate in respect of items to be considered at this meeting.	13 - 14
4.	<b>SCHEDULE OF APPLICATIONS</b>	
4 .1	<b>17/01042/FUL AND 17/01043/LBC - TO FOLLOW</b> The Red Lion, Grantham Road, Bottesford	To Follow
4 .2	<b>18/00500/OUT</b> Grange Farm House, Harby Lane, Hose	15 - 38
4 .3	<b>18/00981/FUL</b> The Old Vicarage, 43 Church Lane, Long Clawson	39 - 52
5.	<b>18/01204/CM</b> Land to the North and East of Melton Mowbray  Report regarding the North and East Melton Mowbray Distributor Road	53 - 70
6.	<b>URGENT BUSINESS</b> To consider any other items that the Chair considers urgent	

# Minutes

<b>Meeting name</b>	<b>Planning Committee</b>
<b>Date</b>	<b>Thursday, 18 October 2018</b>
<b>Start time</b>	<b>6.00 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH</b>

## Present:

**Chair** Councillor J. Illingworth (Chair)

**Councillors**

P. Posnett (Vice-Chair)	P. Baguley
G. Botterill	P. Cumbers
P. Faulkner	M. Glancy
T. Greenow	E. Holmes
B. Rhodes	

## **Observers**

**Officers**

- Solicitor To The Council (RP)
- Assistant Director for Strategic Planning and Regulatory Services
- Development Manager (LP)
- Planning Officer (GBA)
- Administrative Assistant (JD)

Minute No.	Minute
PL43	<p><b>Apologies for Absence</b> Cllr Bains sent his apologies.</p>
PL44	<p><b>Minutes</b> Minutes of the meeting held 27<sup>th</sup> September 2018.</p> <p>Approval of the minutes was proposed by Cllr Holmes.</p> <p>It was unanimously agreed by the members present at the meeting that The Chair sign them as a true record.</p>
PL45	<p><b>Declarations of Interest</b> The Chair spoke on behalf of Cllr Orson, and wished to point out that in Cllr Orson's private capacity as Mr. J Orson; he had two applications on the agenda. The applications made are as Mr. J Orson, citizen. Not Cllr Orson. He would therefore be unable to speak in his role as Ward Cllr, as he had a direct pecuniary interest in both.</p> <p>A Cllr queried whether the only reason the applications appeared on the agenda was because it was one belonging to a Cllr, and asked would it not have come up anyway?</p> <p>The Chair responded, not necessarily. But the trigger was because he is a member of the Authority.</p>
PL46	<p><b>Schedule of Applications</b></p>
PL46.1	<p><b>18/00040/FUL</b></p> <p><b>Applicant:</b> Sunrise Poultry Farms Ltd - Phillip Crawley.</p> <p><b>Location:</b> Fields 9820 7800 And 0005, Melton Road, Ab Kettleby.</p> <p><b>Proposal:</b> Erection of free range egg laying unit including site access and associated works.</p> <p>Before the application was introduced, The Chair put it to Members that the Applicant has the opportunity to speak. He informed them that there would be one objector speak and suggested it may be inconsiderate not to suspend standing orders to allow a balanced presentation.</p> <p><b>Cllr Holmes proposed to permit the Applicant to speak.</b></p> <p><b>Cllr Greenow seconded the proposal.</b></p> <p>A vote was taken. The members voted unanimously to suspend standing order to allow the Applicant to speak.</p>

(a) The Development Manager (LP) stated that:

The application is a full planning application for the erection of a free range egg laying unit including site access and associated works. The building would be rectangular with a length of 140 metres and width of 20 metres, the height to the eaves is 3.6 metres and to the ridge is 6.3 metres. The proposal includes feed storage hoppers with a height of 7.6 metres; areas of hardstanding and a new access from the A606 Nottingham to Melton Road which would in turn close the existing gated agricultural accesses.

It is considered that the proposal is in line with both local and national policy and would not have any undue adverse impact on residential amenity or highway safety and has been designed to respect the character and appearance of the locality.

As such the proposal is recommended for approval subject to conditions as set out in the report.

The Chair elaborated upon a request for additional information regarding floor levels, submitted at the Site Visit. He pointed out that there is no significant cutting in other that to achieve levelness.

(b) Mrs Ann Williams, an Objector was invited to speak and stated that:

- It is not an appropriate site for an intensive free range chicken farm.
- Agricultural building, much bigger than others in the area.
- Smells, noise and vermin will blight the amenities of residential properties.
- Site is close to a family home.
- Risk of disease entering site via pedestrians using the nearby public footpath.
- Site is large enough for 40,000 birds. There is no assurance numbers may increase to this.
- Light pollution.
- Risk of pollution to nearby brook, therefore harmful to wildlife.
- Will be harmful to appearance of rural setting of a conservation village.
- No ecological impact statement.
- Predator proof fencing will prevent free movement of wildlife.
- Harmful landscape, views, amenities and biodiversity. This is in contrary to up to date policies.
- Contrary to NPPF Chapter 15, items 170,174,175,180.
- Contrary to Melton Local Plan, EN3a page 46 with specific mention of this locality and policy EN2 104, 105 (b), (f), (i), (k), (l).
- Contrary to Ab Kettleby Draft Neighbourhood Plan Fig.6 Policy BE2 c,g,h – Policy T2, Policy env8, number 8, Fig.18. Policy env 5, fig.12.
- False information given on questions 6 and 12 of application.

- Disagreed with Officer's report. Not enough attention to the effect upon people and ecology.
- 39 objections. No supporters.

A Cllr questioned how Mrs Williams determined that this was an intense business.

Mrs Williams stated 40,000 plus birds is classed as intensive farming, and the land is big enough for this. So may grow to this in the future.

(c) Phillip Crawley, the Applicant was invited to speak and stated that:

- This is a family run business with very dedicated team members.
- The business strives to produce eggs in the correct manner and be as environmentally friendly as possible.
- Buildings will blend in with the landscape, materials and colours have been chosen specifically to aid this.
- Substantial tree planting, with species mix TBC. 5 % additional planting on site, with rapid growth species chosen. This will help to blend and screen the building.
- Site is at least 300m from public road. Only gable end will be visible until trees can provide screening.
- Multi tier construction which will support removal of manure twice per week to prevent fly nuisance.
- Nearest residential properties approx. 360m away from site so far away enough to not create noise or dust nuisance.
- Best available technology will be used to prevent noise and pests. Own site monitor who will assess every 2-3 weeks to ensure all pests are under control.
- There is growth in the demand for free range eggs.

A Cllr asked that if there was 1 full-time and 1 part-time worker. Did that mean there would sometimes be nobody there?

Mr Crawley explained that standard staffing hours were normally 7am-5pm. The site would operate 7 days so part time staff were needed to work the hours a full timer cannot.

A Cllr made reference to Mrs Williams' concern about perimeter fencing. He questioned whether pedestrians would be able to enter the site.

Mr Crawley stated that they would not be blanking off any public footpaths. He explained that 1.2m fencing is not favoured, and instead 6ft deer netting would be used.

A Cllr asked if pedestrians could have access to the chickens.

Mr Crawley stated no. They wouldn't want that.

A Cllr asked for clarification on biosecurity measures for the site, and how they will be recorded and managed.

Mr Crawley explained they work with APHA, DEFRA, Freedom foods. No perimeter. There would be foot dips around the building and at times of risk a wheel wash on driveway.

A Cllr expressed concerns for the size, particularly the length of the building. He asked if it needed to be that long, and could 2 smaller buildings not be used?

Mr Crawley stated that the shed was designed in light of the field. The birds will roam one side of the building which slopes downhill. This would promote natural land drainage and avoid land becoming wet and boggy. End on end design with central collecting area. Side by side would be possible but the ridge would become higher and prominence greater. Chickens would range both sides too.

A Cllr suggested an incinerator be used rather than a bin to get rid of smells more quickly.

Mr Crawley stated there was a good chance an incinerator would be installed on site, as he had just had one audited, and agreed it was a good idea.

A Cllr questioned whether the other sites had accommodation with them.

Mr Crawley stated that some do and some don't. It's not included on this application as they do not see it necessary for a site with holding 32,000.

The Chair mentioned Mrs Williams' reference to the pollution of the stream, and asked what level of threat he saw that as, and what measures would be taken to prevent damage to the stream.

Mr Crawley stated he didn't perceive any threat to the stream. At the end of each term, sheds would be washed down. At the end of each building there would be a sunken wash tank (holding capacity 2-3 thousand litres). When pressure washed down into tank, they'd capture the dirty water, not slurry. This would then be spread onto land away from stream.

The Development Manager wished to clarify a couple of points from the objector. Neighbourhood plan for Ab Kettleby reached public consultation stage at May 2018 so could be afforded very small weight at this point. Then made reference to page 14 of the Committee Report and the Environmental Health section, specifically covering noise, odour and light. The Development Manager stated that there are alternative powers available in monitoring through separate legislation to that of the planning dept.

A Cllr referenced the legislation. She questioned how it would be known that the number of birds had grown from 32,000 to 40,000 and when would the legislation kick in.

The Development Manager explained that there didn't need to be a certain number reached. If members were concerned of noise, odour etc., there are other legislations that could have more prescriptive powers than planning.

A Cllr asked how it would be known if numbers had grown.

The Development manager stated it would be an ongoing dialogue with applicant. There would be a record keeping process as a business and these would be requested.

The Chair invited Mr Crawley to give additional information regarding this.

Mr Crawley clarified that the buildings maximum capacity is 32,000. 16,000 per air space and he

would not be allowed to keep any more than this. The building would have to be made bigger to accommodate more.

**Cllr Botterill proposed to permit the application.** He stated he thought it was a sound plan.

**Cllr Baguley Seconded the proposal.**

A Cllr expressed how pleased they were that the demand for free range is growing.

Mrs Williams requested to speak.

The Chair explained it is not usually permitted and put the decision to members. He reminded members that the Applicant had been allowed to add a point of clarification.

Mrs Williams reiterated her concerns about wildlife. She questioned whether the contraventions had been looked at.

The Chair explained that the Officer compiling the report would have taken note of the issues and this is part of their considerations when coming up with recommendations.

The Assistant Director of Strategic Planning and Regulatory Services highlights the 1<sup>st</sup> page of the report and the Local Plan's most relevant policies to the application. He explained it didn't have mirrors of the policies people may have been used to about proving need. Quoted EN1, and explained that was the purpose for site visit. Policy SS2, in terms of rural development, should follow national guidance which says we should support rural enterprises at every opportunity.

A Cllr suggested viewing other developments similar to this to better people's understanding, as they are becoming more popular.

The Chair stated we must respond to the changing scenery of applications

The Assistant Director of Strategic Planning and Regulatory Services added EN3a states this is not applicable as we're not creating green infrastructure. EN3 part a, relates to new or enhanced green infrastructure corridors which is not what we're dealing with on this application. EN2, is an aspirational policy that seeks to encourage bio and geo diversity improvements into any proposal in rural area. It is your judgement as to whether this is making such a contribution. But to clarify, failure to contribute is not contrary to the policy. It's just not fulfilling aspirations. Shortcomings identified by Mrs Williams; failure to enhance the most ecological sensitive areas. This is not one of those. Failure to contribute to wildlife networks, failure to promote the use of fencing which incorporates holes for the use of wildlife. Impact on local wildlife and geological sites.

A Cllr expressed his concern that there had been ample opportunity for the questions to have been put forward before tonight or included in the 3 minutes given. More time could've been given to officers. They stated it was disrespectful to suggest Officers haven't given decent consideration to Local Plan Policy. They requested to move to vote.

The Chair queried whether the Cllr meant for the business to be put.

The Cllr stated he would like the business be put.

The Chair stated that the proposal had already been seconded, they needed to approve that the business be put. This was put to members.

**A vote was taken. 8 members proposed the business be put.**



The Chair stated that precluded debate and goes straight to vote. He added, that doesn't preclude amendment/alternatives. It was asked whether members were happy in light of the queries raised with the implications of policies, if not, to then defer to ensure they are.

A Cllr stated they ought to know. They look after the people they represent. They continued to query the trees.

The Chair stated there could be no more debate.

The Solicitor to The Council explained that on the issue of policy, it was not a requirement for officers to go through each policy. It was a requirement for officers to look to see what they think is material and then bring them before you. Officers had done this in their reports. Policies were itemised that were material. With regards to debate, the majority voted for business to be put so that should be given effect.

**A vote is taken. 8 members proposed to permit the application and 2 voted to not permit the application.**

**Permission granted.**

**Determination: The proposal comprises an agricultural building within the countryside. The proposal is supported in principle in policy terms by adopted, and national planning policies. The proposal would not have any undue adverse impact on residential amenity or highway safety and has been designed to respect the character and appearance of the locality. As such, the proposal is considered to be in compliance with the Local Plan policies referred to above and principles of the NPPF. There are no material considerations present which it is considered would justify a departure from the Development Plan.**

PL46.2

**18/00919/FUL**

**Applicant: Mr J Orson**

**Location: Land Adj To No 11 And 13, Paradise Lane, Old Dalby**

**Proposal: Erection of a single dwelling**

(a) The Planning Officer (GBA) stated that:

This is a full application for the erection of one new dwelling on land west of number 11 Paradise Lane, Old Dalby within the village conservation area.

The proposal is for a four bedroom property (not three as per the published report) which is recognised as larger scheme but is befitting of the site characteristics and land it is sited on. There is also still a need for houses of this bedroom requirement as stated in the Melton housing needs survey.

Matters for consideration are the design of the scheme within the context of the conservation area which according to our conservation officer are acceptable on accounts that the proposal will not look out place within the varying house types along the road.

Further conditions on materials have been imposed to ensure the finished proposal responds well to local areas characteristics.

Being a new dwelling in what is a rural hub category for the purposes of the local plan and therefore a sustainable location the principle is acceptable.

Matters of design and amenity have been fully assessed and also viewed as according to D1 which covers these topics.

There is adequate off street parking proposed and therefore is recommended for approval.

(b) Cllr Duncan Bennet, a Parish Cllr was invited to speak and stated that:

- The majority of the Parish Council had concerns about the size and style
- Expressed in his own personal opinion, it was in keeping
- Slightly larger than the proposed building planning permission was obtained for.

A Cllr asked if they had any concerns about the roofing material, specifically the zinc cladding.

Cllr Bennet responded no.

A Cllr asked whether the majority of the Parish Council were concerned about the size. And queried whether she was speaking for himself or for the Parish Council.

Cllr Bennet confirmed this was raised as an opinion of the Parish Council.

A Cllr stated they thought the plans were fine and queried whether there were any similar buildings in the conservation area?

Cllr Bennet stated that Old Dalby has a subjective conservation area. A broader view needed to be taken. It's not offending the rules of conservation areas.

(c) Nick Cooper, the Agent was invited to speak and stated that:

- Consistent with the directives of the newly adopted Local Plan.
- Design takes note of a variety of building materials.
- Materials are reflective of local area.
- Dwelling will be 2 building liked via a stone wall.
- There will be quality detailing controlled by conditions set.

The Chair questioned whether he was right to assume the zinc section is the main apex? Or would it all dark style tiling?

Mr Cooper clarified that the 2 storey building had zinc detailing. The outbuilding was traditional with slate.

The Chair asked if the material would be bright.

Mr Cooper informed The Chair that it would not be bright and samples would be provided.

A Cllr asked if zinc was environmentally friendly.

Mr Cooper stated he was unsure.

The Chair explained that it would be zinc coated steel. It would be a protective coating that is no more environmentally unsound than steel.

A Cllr questioned how it would weather and if it would change colour.

Mr Cooper explained it will go darker over time and samples would be provided for approval.

The Chair added that it will lose its shine.

The Planning Officer stated that, with regards to the conservation area, it will add to the diverse house type already along that road.

A Cllr expressed concerns that the building looked high and it looked quite close to the vicarage. They asked what percentage of the site it covers. They stated they don't object to the design, just concerned it may overshadow the houses either side.

The Planning Officer confirmed the building is 6.2m high.

The Chair added that the higher part of the property is not the nearest part to the neighbouring property.

A Cllr queried whether the consultation responses reflected the fact it was a 4 bed rather than 3 (as written in error in report). Particularly regarding parking and housing mix.

The Planning Officer clarified that the application was assessed as a 4 bed. The plans shows a 4 bed and is suitable for highways as there are 3 parking spaces, and access is suitable. There is to be a double garage and an additional space on the driveway.

A Cllr asked again about the housing need.

The Assistant Director of Strategic Planning and Regulatory Services stated the Housing Policy C2 only clicks in at an application of 10 or more houses.

A Cllr made reference to the removal of mature trees and questioned if they had to be removed, and if so are there plans to replace what gets removed.

Mr Cooper confirmed the trees do need to be removed. Suggested the applicant would be happy to add if required as a condition.

A Cllr queried the life expectancy of the building.

The Planning Officer took reference from a roofing company online, and stated up to 100 years.

**Cllr Rhodes proposed to permit the application.** Subject to the conditions being met.

**Cllr Greenow seconded the proposal.**

The Chair queried if the condition mentioned is the replacement tree planting. Contributing to landscaping elsewhere.

Cllr Rhodes agreed, and stated that was practical

Cllr Greenow questioned whether that could be done.

Cllr Rhodes made reference to similar arrangements made in previous applications.

The Assistant Director of Strategic Planning and Regulatory Services stated that at the moment,

they were unable to answer at the moment. May need to be a variant of the condition for now.

The Chair agreed that was fine.

**A Vote was taken. 9 Members agreed to permit the application. 1 member abstained from the vote.**

**Permission granted.**

**Determination: It is considered that on balance, the proposed dwelling will contribute to the development of housing in what is a sustainable village of Old Dalby owing to its 'Rural Hub' status within the Melton Local Plan. The scheme is within Old Dalby and within the Neighbourhood Plan limits where there is an overall support for building for residential purposes.**

**It is considered that the proposed development is compliant with the Local Plan and the policies contained within the NPPF and there are no material considerations which would justify the refusal of the application.**

PL46.3

**18/00506/FUL**

**Applicant: Mr J Orson**

**Location: North Lodge Farm, Longcliff Hill, Old Dalby**

**Proposal: Conversion of existing brick and tile building to form one dwelling and associated garden and parking area.**

(a) The Planning Officer (GBA) stated that:

This is a full application for the change of use of an existing agricultural building at North Lodge Farm, Longcliff Hill again in Old Dalby. This scheme however is *not* in the conservation area.

The proposal is for a two bedroom property and seeks to add various openings to make it function as a dwelling house.

Two parking spaces have been provided for this new dwelling and there is also an additional two spaces for the residents of North Lodge Farm.

Matters for consideration are the design of the scheme which through a comprehensive officer assessment has been viewed as acceptable on accounts that the proposal is predominately a conversion with the rural appearance of the dwelling maintained. It is also set back well of the highway and therefore within the overall 'street scene' should not have a significant impact. A full assessment has also been made in terms of ensuring the rooms are of a suitable size according to the technical space standards guidelines which are acceptable.

As before, being a new dwelling in what is a rural hub category for the purposes of the local plan and therefore a sustainable location the principle is acceptable.

Further benefits of this being a conversion and therefore using the existing redundant buildings on site provides further sustainable benefits.

Matters of design and amenity have been fully assessed and also viewed as according to D1 which covers these topics.

There is adequate off street parking proposed and therefore is recommended for approval.

(b) Cllr Duncan Bennet, Parish Cllr was invited to speak and stated that:

- Very worried about the confluence of the small track. There was already approval for 30 plus houses.
- Whole area was subject of a survey in relation to another application. This gets rid of any worries about traffic the Parish Council had
- Concerned how previously nearby 1 dwelling had turned into 5 under general development.

A Cllr asked why the Parish Council had not had the opportunity to speak on the previous application.

Cllr Bennet explained that it came under general development which is considered not needed to come before Parish Council

The Chair ruled to move on, as they were entering debate about an application not on the agenda.

(c) Maurice Fairhurst, The Agent is invited to speak and stated that:

- Small agricultural barn, accessed by track. Not visually prominent.
- Benefits to the village, residents and environment as it will add to housing supply and there will be no more agricultural vehicles being used.
- 2 bed dwelling, won't affect anybody else.
- Improve appearance of existing barn.
- Better use for existing building in line with attest NPPF objectives.
- Sustainable development in line with the Local Plan and NPPF.
- No harmful impacts raised.

A Cllr questioned whether the exiting barn door would be the only door and would windows be added. They also asked for clarification on what the barn is currently used for.

Mr Fairhurst explained the barn was used for the storage of agricultural implements. With regards to windows and doors the design tries to make advantage of the existing openings. Similar materials to that of the barn will be used in the conversion.

**Cllr Greenow proposed to permit the application.** He saw no reason to refuse.

**Cllr Faulkner seconded the proposal.**

**A vote was taken. 8 members voted to permit the application. 1 voted to abstain.**

At 7.20pm Cllr Holmes left the meeting and did not participate in the vote.

**Application Approved.**

**Determination: It is considered that on balance, the proposed dwelling will contribute to the development of housing in what is a sustainable village of Old Dalby owing to its 'Rural Hub'**

status within the Melton Local Plan. The scheme is reasonably well connected to Old Dalby and within the neighbourhood plan there is an overall support for conversions of agricultural buildings for residential purposes. Being also an existing agricultural building it is considered that the change of use will not impact upon the local area character and be overall sensitive to the area setting.

It is considered that the proposed development is compliant with the Local Plan and the policies contained within the NPPF. There are no material considerations present which it is considered would justify a departure from the Development Plan.

PL47

**UPDATE REPORT: 18/00632/OUT**

(a) The Development Manager (LP) stated that:

This paper relates to application 18/00632/OUT which was considered at the meeting of 6<sup>th</sup> September 2018 the proposal was recommended for approval subject to condition, one of which was to provide both a pedestrian and vehicular link to the previously approved neighbouring scheme 17/01577/OUT.

The difficulty with this is that 17/01577/OUT did not contain the same condition and only a pedestrian link was requested for this application, thereby when the development comes forward and as per the Local Plan it is likely that it will be for a single development and therefore there will be a parcel of land that does not link correctly.

Accordingly the proposal is not considered to pass the test whereby a condition must be reasonable necessary and enforceable, to which it is not considered that this is, the applicant is content with the pedestrian link and it is recommended that the wording is amended to reflect this whereby providing a pedestrian and cycle link between this application 18/00632/OUT and the previously approved 17/01577/OUT.

**Cllr Rhodes proposed to permit.** Cllr Rhodes stated that he moved the motion to permit, and had been persuaded to add this. In view of the information provided, he is happy to drop as it cannot be implemented.

**Cllr Baguley seconded.** Added, conditions need to be reasonable.

**A vote was taken. Cllrs voted unanimously.**

PL48

**Urgent Business**

None

The meeting closed at: 7.24 pm

Chair

## Advice on Members' Interests

### **COUNCIL MEETINGS - COMMITTEE MINUTES : DECLARATION OF INTERESTS**

Interests need not be declared at Full Council in relation to Committee Minutes which do not become the subject of debate at Full Council (i.e. Minutes referred to solely on a page by page basis when working through the Minutes of each Committee.)

An interest must be declared at Full Council as soon as it becomes apparent that a relevant Committee Minute is to be debated – this applies even if an interest has been declared at Committee and is recorded in the Minutes of that Committee.

### **PERSONAL AND NON-PECUNIARY INTERESTS**

If the issue being discussed affects you, your family or a close associate more than other people in the area, you have a personal and non-pecuniary interest. You also have a personal interest if the issue relates to an interest you must register under paragraph 9 of the Members' Code of Conduct.

**You must state that you have a personal and non-pecuniary interest and the nature of your interest.** You may stay, take part and vote in the meeting.

### **PERSONAL AND PECUNIARY INTERESTS**

If a member of the public, who knows all the relevant facts, would view your personal interest in the issue being discussed to be so great that it is likely to prejudice your judgement of the public interest and it affects your or the other person or bodies' financial position or relates to any approval, consent, licence, permission or registration then **you must state that you have a pecuniary interest, the nature of the interest and you must leave the room\***. You must not seek improperly to influence a decision on that matter unless you have previously obtained a dispensation from the Authority's Governance Committee.

### **DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS**

**If you are present at any meeting of the Council and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting, if the interest is not already registered, you must disclose the interest to the meeting. You must not participate in the discussion or the vote and you must leave the room.**

You may not attend a meeting or stay in the room as either an Observer Councillor or \*Ward Councillor or as a member of the public if you have a pecuniary or disclosable pecuniary interest\*.

### **BIAS**

If you have been involved in an issue in such a manner or to such an extent that the public are likely to perceive you to be biased in your judgement of the public interest (bias) then you should not take part in the decision-making process; you should leave the room. **You should state that your position in this matter prohibits you from taking part.** You may request permission of the Chair to address the meeting prior to leaving the room. The Chair will need to assess whether you have a useful contribution to make or whether complying with this request would prejudice the proceedings. A personal, pecuniary or disclosable pecuniary interest will take precedence over bias.

In each case above, you should make your declaration at the beginning of the meeting or as soon as you are aware of the issue being discussed.\*

\*There are some exceptions – please refer to paragraphs 13(2) and 13(3) of the Code of Conduct

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**COMMITTEE DATE: 15<sup>th</sup> November 2018**

**Reference:** 18/00500/OUT  
**Date Submitted:** 30.04.2018  
**Applicant:** Mr G Stroud  
**Location:** Grange Farm House, Harby Lane, Hose  
**Proposal:** Proposed Residential Development for 35 Houses.



### **Introduction:-**

The proposal seeks outline planning permission for 35 dwellings, with access to be considered as part of the application. The application site is located to the North of the village and is a proposed allocated site in the Adopted Local Plan. Although layout is not for consideration at this time, an indicative layout has been submitted.

**It is considered that the main issues arising from this proposal are:**

- **Compliance or otherwise with the Development Plan**
- **Impact upon the character of the area**
- **Impact upon highway safety.**

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

**Relevant History:** - There is no planning history for this site.

**Planning Policies: - The Melton Local Plan 2011-2036 was adopted by Melton Borough Council on 10<sup>th</sup> October 2018. Under s 38(6) planning decisions must follow the policies of the Plan unless material considerations indicate otherwise.**

**It is considered that the following policies are relevant to this application:**

**Policy SS1** sets out a presumption in favour of sustainable development Policy C1 (A) seeks to ensure that Housing proposals are delivered within the sites allocated within the Local Plan subject to certain requirements.

**HOS2 – Land West of Harby Lane, estimated capacity of 35**

Housing proposals will be supported where they provide:

1. A mix of dwellings in accordance with Policy C2;
2. Affordable housing in accordance with Policy C4;
3. The necessary infrastructure required to support development in accordance with Policy IN1; and
4. High quality design in accordance with Policy D1.
5. The requirements as set out in Appendix 1 or relevant Neighbourhood Plan.

The development of sites allocated in Neighbourhood Plans that have reached post examination status prior to the adoption of this local plan and which are not identified in Policy C1 (A) or C1(B) may also be permitted, subject to the conditions and criteria above.

**Policy C2** seeks to manage the delivery of a mix of house types, tenures and sizes to balance the current housing offer.

**Policy C4** – seeks to manage the delivery of affordable homes in order to balance the housing stock and meet the community’s housing needs.

**Policy EN1** seeks to protect and enhance the Borough’s landscape and countryside by ensuring new development is sensitive to its landscape setting, enhances the distinctive qualities of the landscape and requiring new development to respect existing landscape character and features.

On developments of 10 dwellings or more **Policy EN7** will ensure a contribution towards provision and/or enhancement of open space, sports and recreational facilities should a deficiency be identified.

**Policy EN12** seeks to ensure that for major developments, through the submission of a surface water drainage strategy, properties will not be at risk from surface water flooding allowing for climate change effects.

**Policy EN13** states the Council will take a positive approach to the conservation of heritage assets and the wider historic environment.

**Policy IN2** seeks to ensure the support and promotion of an efficient and safe transport network offering a range of transport choices for the movement of people and goods, reducing the need to travel by car and encouraging use of alternatives, such as walking, cycling, and public transport.

**Policy D1** seeks to raise the standard of design through siting and design being sympathetic to the character of the area, to protect the amenity of neighbours, utilise the existing trees and hedges together with new landscaping and make adequate car parking provision.

## Clawson, Hose and Harby Neighbourhood Plan

**The Clawson, Hose and Harby Neighbourhood Plan was made in June 2018. It is considered that the following policies are applicable to this proposal.**

**Policy H3:** Land outside the defined Limits to Development will be treated as open countryside, where development will be carefully controlled in line with local and national strategic planning policies.

**Policy H5** seeks a mixture of housing types specifically to meet identified local needs in the villages of Harby, Hose and Long Clawson with priority given to dwellings of 1, 2 and 3 bedrooms.

**Policy H6** seeks on sites of 11 or more dwellings provision of affordable homes or an equivalent financial contribution is made.

**Policy ENV 2** seeks to protect or enhance other sites of environmental (Natural and Historical) significance in line with certain criteria.

**Policy ENV 7** seeks to ensure that developments of ten or more houses on land identified should be supported by a Great Crested Newt Survey.

**Policy T1** seeks to ensure that development of six or more dwellings are supported by a Site Specific Travel Plan.

**Policy DC1** identifies a number of projects that are considered as a priority for investments in local community infrastructure.

### National Planning Policy Framework (NPPF)

**The Local Plan has been examined and it has been concluded it is compatible with the NPPF 2012 version. There are not considered to be any changes in the 2018 version that renders the policies applicable to this application ‘out of date’.**

### Consultations:-

Consultation Reply	Assessment of Assistant Director of Strategic Planning and Regulatory Services
<p><b>LCC Highways</b></p> <p>Following the previous observations submitted by the Local Highway Authority to the Local Planning Authority on 8th June 2018, the Applicant has submitted a detailed site access drawing, vehicle tracking, a Stage 1 Road Safety Audit including designer's response and details of a pedestrian footway leading to the site access.</p> <p><b>Site Access</b></p> <p>As detailed in HSSP drawing number 7485 04 10 Rev B, the Applicant has retained two access points for the development. The main site access would serve 31 dwellings as well as the farm access and have a 5.50 metre wide access with 10 metre junction radii. While sufficient width is required to allow for tractors to enter the site, it should be noted that the LHA would accept a carriageway width of 4.8 metres wide within the development site, beyond the farm access. While this would not be a reason to resist the</p>	<p>Noted the comments received. Following initial comments, additional information was submitted for the application, including a road safety audit and tracking information.</p> <p>Access is the only matter for consideration as part of the application and therefore the internal layout may be amended through the submission of a reserved matters application if outline permission is granted.</p>

development, it should be noted that should the internal layout be put forward for adoption, the LHA reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway.

The shared private drive to the south would serve 4 dwellings and has been proposed in a dropped kerb arrangement. This access would measure 4.25 metres wide.

The main site access would have visibility splays of 2.4 x 94 metres to the north and 2.4 x 100 metres south. Visibility splays for the shared private drive would be 2.4 x 43 metres in each direction. Given the recorded speeds at the site access, the Leicestershire Highways Design Guide advises visibility splays of 160 metres would be required.

The Applicant has however proposed to relocate the existing national/30 speed limit beyond the site access. This is considered necessary by the LHA and could be undertaken by virtue of street lighting. The LHA previously advised additional measures to reduce speeds would be required however no further details have been provided by the Applicant. Nevertheless, the LHA consider provision of a speed reduction scheme could be delivered via a condition. Given the recorded 85%ile speeds in the vicinity of the site access which are between 47 - 49 mph, the Applicant will need to put forward a traffic calming scheme that considerably reduces vehicle speeds in the vicinity of the site, which is also appropriate to the nature of the area. Given Harby Lane is a bus route and used by farm vehicles, speed tables/ cushions may not be appropriate for example. As a result, the Applicant should progress a scheme at the earliest opportunity.

Subject to the above, the LHA considers the site access and visibility to be acceptable.

#### Off-site implications

The Applicant has proposed a two metre wide footway from the site access to tie in with the existing footway provision on Harby Lane. This is welcomed and required by the LHA in order to provide a pedestrian route in to the village.

#### Transport sustainability.

As required previously, the LHA would require one travel pack and 2 x bus passes per dwelling.

The LHA have considered the provisions at the nearby bus stops and consider it appropriate to install a new bus stop pole and flag to complement the existing shelter at the junction of Coal Lane.

Details of speed reduction measures can be secured by condition, which the Applicant has agreed to should permission be granted.

The provision of a footway can be secured by a condition.

The contributions requested for the development have been set out below.

It is considered that the conditions are requested are appropriate and follow the NPPF requirements in relation

<p><b>Conditions</b></p> <p>1 provision of access and footway arrangements  2 Details of off-site highway works to be submitted  3 Submission of construction management plan</p>	<p>to conditions. The Agent/ Applicant has given prior approval to the highways conditions presented by the Highway Authority.</p>
<p><b>LCC Ecology</b></p> <p>No objection to this application subject to the following being incorporated into condition(s) of the development:</p> <ul style="list-style-type: none"> <li>- Layout to be generally in accordance with the Proposed Masterplan (7485-10-01). Any amendments must retain the areas of informal open space proposed to the west and north of the site.</li> <li>- Planting and Landscaping to be agreed. Informal open space to the west and north should comprise semi-natural vegetation (possibly managed as a wildflower meadow) and locally native species to provide a corridor for GCN.</li> <li>- Landscape (Biodiversity) Management Plan to be submitted and agreed.</li> <li>- Mitigation recommendations in Table 9 of the Great Crested Newt Survey Report (Brindle &amp; Green, June 2017) to be followed, with the translocation taking place to 'pond 2' as agreed in the email dated 7th August 2018 from Nick Cooper to Kirsty Gamble.</li> </ul> <p>The applicant must also be aware that their ecologist states that a European Protected Species Licence will be required for the necessary Great Crested Newt mitigation. It is the applicants responsibility to liaise with their ecologist to ensure that this in place prior to the commencement of the development. All licence conditions should be adhered to.</p>	<p>Noted comments received from LCC Ecology. The conditions as requested can be included in the decision.</p> <p>As the application is for outline permission only with access to be considered, the layout may be amended at reserved matters stage, however it is considered that the requirements can be incorporated in to any design.</p>
<p><b>LCC Archaeology</b></p> <p>The application raises two areas of archaeological concern, the impact of the scheme upon the setting of the scheduled Hose Grange moated site, a nationally important designated heritage asset, and second, the impact of the proposals upon known and potential buried archaeological remains.</p>	<p>Noted comments received. The Conservation Officer and Historic England have also provided comments in relation to the application, which are provided and considered below.</p>

<p>With regard to the first of these issues, consideration needs to take account of Historic England's advice (6th June 2018), specifically the requirement from additional provision of landscape buffering to the site's northern boundary. I note that further discussion between the applicant and Historic England appears to have addressed these matters, the applicant (Letter of the 3rd August 2018) stating that Historic England have accepted their design rationale in respect of the boundary treatment, and that detailed determination of the character and design of the boundary buffering can be addressed as a reserved matter. I would recommend that Historic England's position in this respect is established given their stated objection if an acceptable solution cannot be arrived at.</p> <p>Without prejudice to the setting concerns, with regard to the impact of the proposals upon the buried archaeological resource, we are of the opinion that this can be addressed by a programme of conditioned archaeological mitigation (area excavation). This work shall be informed by the completed geophysical and topographic surveys, and the subsequent phase of trial trenching. On that basis in the event your authority is minded to approve the scheme, it is recommended that the necessary mitigation should be secured by condition on any planning permission, as follows:</p> <p>1. No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been [submitted to and] approved by the local planning authority in writing.</p> <p>The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.</p> <p>The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.</p>	
<p><b>LCC and Third Party Contributions</b></p> <p><b>Highways</b></p> <p>1. <b>Travel Packs</b> – one per dwelling: to inform new residents what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).</p> <p>2. <b>6 month bus passes</b> – two per dwelling (an application form to be included in Travel Packs and</p>	<p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p>

funded by the developer): to encourage new residents to use bus services, to establish changes in travel behaviour from first use and promote usage of sustainable travel modes other than the car [can be supplied through LCC at (average) £360.00 per pass – NOTE - it is very unlikely that a development will get 100% take-up of passes; 25% is considered to be a high take-up rate].

**3. New bus stop pole and flag at the nearest bus stop** to the site (opposite Coal Lane) at a cost of £170.

### **Civic Amenities**

The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. **As such a developer contribution is required of £2,893.00** (to the nearest pound).

The nearest Civic Amenity Site to the proposed development is located at Melton Mowbray and residents of the proposed development are likely to use this site. The calculation was determined by a contribution calculated on 35 units multiplied by the current rate for the Melton Mowbray Civic Amenity Site of £82.66 (subject to Indexation and reviewed on at least an annual basis) per dwelling/unit = £2,893.00 (to the nearest pound).

The developer contribution would be used on project reference MEL012 at the Melton Civic Amenity Site. Project MEL012 will increase the capacity of the Civic Amenity Site at Melton by:-  
Increase discharge consents for drainage and effluent discharge for increased waste storage.

There are no other known or potential obligations from other approved developments, since April 2010, that affect the Melton Civic Amenity Site which may also be used to fund project MEL012.

The County Council consider the Civic Amenity contribution is justified and is necessary to make the development acceptable in planning terms because of the policies referred to and the additional demands that would be placed on the key infrastructure as a result of the proposed development. It is directly related to the development because the contribution is to be used for the purpose of providing the additional capacity at the nearest Civic Amenity Site (Melton Mowbray) to the proposed development. It is considered fair and reasonable in scale and kind to the proposed scale of development and is in accordance with the thresholds identified in the adopted policies and to meet the additional demands on the Civic Amenity infrastructure at Melton Mowbray which would arise due to this

Noted all contribution requests. These will be included in the S106 Agreement for this development.

proposed development.

### **Education**

This request for an education contribution is based on 33 houses and 0 flats/apartments with two or more bedrooms. No claim is made on 2 one bedroom dwellings.

#### **Primary School Sector Requirement £86,092.80**

The site falls within the catchment area of Hose C of E Primary School. The School has a net capacity of 77 pupils and 83 pupils are projected on roll should this development proceed; a **deficit of 6 pupil** places after taking into account the 10 pupils generated by this development. There are currently no pupil places at this school being funded by S106 agreements from other developments in the area to be deducted.

There are no other primary schools within a two mile walking distance of the development. A claim for an education contribution is therefore justified.

The 10 places generated by this development can therefore be partly accommodated at nearby schools and a claim for an education contribution of 6 pupil places in the primary sector is justified.

This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Hose C of E Primary School or any other school within the locality of the development.

#### **Secondary School (11-16) Sector Requirement £98,497.70**

The site falls within the catchment area of Bottesford Belvoir High School. The School has a net capacity of 650 and 730 pupils are projected on roll should this development proceed; a **deficit of 80 pupil places**. A total of 2 pupil places are included in the forecast for this school from S106 agreements for other developments in this area and have been deducted. This reduces the total deficit for this school to 78 pupil places, after taking into account the **6 pupils generated by this development**. There are no other 11-16 schools within a three mile walking distance of the site. A claim for an education contribution in this sector is therefore justified.

This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at Belvoir High School or any other school within the locality of the

Total education request of £184,590.50, made on 29<sup>th</sup> May 2018.



<p>development.</p> <p>Post 16 Sector Requirement £0 Special Schools £0</p> <p><b>Libraries</b></p> <p><b>No claim</b> from Library Services. Melton Library currently exceeds upper threshold in terms of standards for stock provision and will not be affected by the proposed development.</p>	<p><b>It is considered that the contributions relate appropriately to the development in terms of their nature and scale, and as such are appropriate matters for an agreement and comply with CIL Reg. 122.</b></p>
<p><b>LCC PROW Officer</b></p> <p>As the internal layout is not for consideration at this stage, it is recommend that the detailed provision for the Public Footpaths is dealt with as a reserved matter and that the following condition should be placed on any outline permission granted for the site:</p> <p>1. No development shall take place until a scheme for the treatment of the Public Footpaths has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The masterplan shows both footpaths incorporated in the design more or less on their existing lines. This is welcomed.</p> <p>I must point out a detail in the line of Footpath G33 which needs to be accommodated within any plans to avoid problems for any future residents.</p> <p>I am uncertain from the information provided with the planning application what the proposals are for what appears to be a buffer strip of land between the site and the properties on Stroud's Close.</p> <p>Footpath G26 runs along this strip and I am concerned that it does not become an overgrown and neglected piece of land. I would expect this link, B-D-E, to be surfaced as part of the development and included in any S278 agreement for off-site highway works.</p> <p>Rights of Way Scheme is to follow the County Council Highways Design Guide (set criteria included – to be included in Informatives).</p>	<p>Noted comments received. As the application is for outline permission only, the proposed development can be designed to incorporate the public footpath.</p> <p>The condition as requested can be included in the decision.</p>
<p><b>MBC Housing Policy Officer</b></p> <p>Allocation in the emerging Local Plan (2011-2036) – yes. HOS2</p> <p>Considered under the new NPPF (2018). The affordable housing definition has changed. The new definition can be found in Annexe 2: Glossary (page 64)</p>	<p>The proposed cascade as suggested by the Housing Policy Officer is as follows:</p> <p>Each criteria is to be taken in the order of priority as set out below with a) being of highest priority and e) the lowest.</p> <p>a) was born in the Parish of Harby, Hose and Long</p>

<p>Long Clawson, Hose and Harby Parish. Neighbourhood Plan adopted on the 6th June 2018. Approved extant planning apps on:</p> <ul style="list-style-type: none"> <li>• Hose – Canal Lane (15.00944.OUT) &amp; (17.00401.OUT) – AH total units – 15 (37%) of a total 41 units (HOS1) (recommendation for a REM/FUL app – 50%/50% split rented (8 units)/AH homeownership (7 units), taking the rural housing need survey (Jan 2015) and re-let data into account).</li> <li>• Harby – Colston Lane (16.00318.OUT) – AH total units – 18 (36%) of a total of 50 units (HAR4)</li> <li>• Long Clawson – Canal Farm (16.00303.OUT) – AH total units – (13 -16?) of a total of 40 units</li> <li>• Long Clawson – Birley’s Garage, Waltham Lane (16.00560.OUT) – AH total units – 17 (37%) of a total of 45 units (LONG3)</li> </ul> <p>The affordable housing need for the village (for the period between 2015 and 2020) will be met via the Canal Lane sites if that development comes forward.</p> <p>However, if this application is approved the affordable housing contribution would be <b>11 units (as at emerging Local Plan 2011-2036 level of 32% for value area 2 and rounded down from 11.2 units)</b></p> <p><b>Affordable housing for rent – 5</b> <b>Affordable homeownership – 6</b></p> <p>In light of the figures in the above tables, recommendations for the affordable housing mix are as follows:</p> <p>Affordable housing for rent: 2 x 2 bed/4 person houses 2 x 3 bed/5 person houses 1 x 3 bed/5 person bungalow Total: 5</p> <p>Affordable homeownership: 3 x 2 bed/4 person houses 3 x 3 bed/5 person houses Total: 6</p> <p>My recommendations for the market housing mix are:</p> <p>2 x 1 bed houses 6 x 2 bed houses 2 x 3 bed bungalows 10 x 3 bed houses 2 x 4 bed bungalows 2 x 4 bed houses Total: 24</p>	<p>Clawson; or</p> <p>b) presently resides in the Parish and has, immediately prior to occupation, been lawfully and ordinarily resident within the Parish for a continuous period of not less than twelve months; or</p> <p>c) was ordinarily resident within the Parish for a continuous period of not less than three years but has been forced to move away because of the lack of affordable housing; or</p> <p>d) is presently employed or self-employed on a full time basis in the Parish and whose main occupation has been in the Parish for a continuous period of not less than twelve months immediately prior to occupation; or</p> <p>e) has a need to move to the Parish to be close to a relative or other person in order to provide or receive significant amounts of care and support.</p> <p>Only where no households can be found that meet any of the above criteria shall affordable housing within the Neighbourhood Plan area be allocated to otherwise eligible households from elsewhere across Melton Borough.</p>
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<p>A local connection cascade would need to be applied on this application. It is recommended that the affordable housing is built out to Housing Quality Indicators (HQI) standards and that the market housing for properties up to and including 3 bedroom properties are built to the National Space Standards.</p> <p>Alternatively, a financial commuted sum in lieu of on site affordable provision may be a possibility for this site and can be discussed further if this site is given planning permission.</p>	
<p><b>MBC Building Control</b></p> <p>The application is for Outline and we would not comment until more finalised layouts' are available.</p>	<p>Noted.</p>
<p><b>MBC Conservation</b></p> <p>The development will impact on the setting of the adjacent Scheduled Ancient Monument known as 'The Grange'. With regards to these matters,</p> <p>Historic England are satisfied with the outline proposal for development on this location that would amount to 35 units. Conservation is also satisfied with the proposal for new built form in this location.</p> <p>It is clear that the reserved matters for this application will be essential in determining its viability. 'It will be crucial to use the right suite of materials in their construction and detailing to achieve the desired effect. However, the structures themselves are still very close to the northern boundary and drawing them back further would be desirable'... 'Therefore, it should be made more visible in the final design through detailing, planting, etc.'</p> <p>As such, Conservation does not object in principle to the proposal for 35 new units in this location, although it is considered important to acknowledge at this point that the scheme may still need to be reduced in the number of units if a suitable specification cannot be agreed on at detailed design stage.</p>	<p>Noted comments received.</p> <p>As the site is an allocated site in the Local Plan, the impact on the scheduled monument has been considered at the time of consideration of inclusion of the site in the Local Plan.</p> <p>As the application is for outline permission only at present, it is possible (and would be required) that the reserved matters application would provide a proposed development which would not be harmful to the setting of the scheduled monument.</p>
<p><b>Historic England</b></p> <p>Accept that a dense buffer of trees would be inappropriate in this open agricultural landscape, and that taking inspiration from adjacent field boundaries is a good approach. Reducing the scale and mass of buildings on the northern-side of the development is also a step in the right direction.</p> <p>It will be crucial to use the right suite of materials in their construction and detailing to achieve the desired effect. However, the structures themselves are still very close to the northern boundary and</p>	<p>Noted comments received.</p> <p>As application is for outliner permission only, it would be possible for the reserved matters application to bring forward a design which would be sensitive to the Scheduled Monument. This would include using the right materials and details, and siting of buildings.</p> <p><b>Policy HOS2 of the Local plan states that development of the site will be supported provided the northern boundary of the site provides an adequate buffer with soft landscaping and suitable boundary treatment to respect the adjacent open countryside and Scheduled</b></p>

drawing them back further would be desirable. The incorporation of the holloway route into the development was not immediately obvious from the indicative plan, although I accept it is there on closer inspection. Therefore, it should be made more visible in the final design through detailing, planting, etc.

**Original comments:**

The nationally important scheduled monument of Grange Moated Site (List Entry Number 1010668) is typical in form of medieval moated granges and manors, complexes of buildings set within water features from which agricultural estates were managed. The grange is known from a 16th century AD source to be associated with Croxton Abbey, an important 12th century AD priory of Premonstratensian Canons. The monument at Hose is one of a relatively small number of identified medieval grange farms in the Leicestershire landscape. Continued intensive use of many such sites has destroyed much of the evidence of archaeological remains. Therefore a site such as this where the level of preservation both of former buildings below the surface of the moat island and of organic material in the remaining sections of the moat is considered to be good represent rare examples worthy of preservation.

Granges performed an important function in medieval rural and monastic life, as mechanism through which religious communities managed the grants of land made to their communities (for their maintenance and the salvation of the souls of their benefactors). As such the relationship between the sites and their agricultural setting is of particular importance to the conservation of their significance.

The proposals would draw modern intrusive development nearer to the scheduled monument. The application has identified the important historic and spatial connection between the moated grange and the medieval village to the south, and the geophysical survey and archaeological trial excavation have identified the physical remains of this relationship in the form of a hollow way. The illustrative master plan its current form and layout would obscure this relationship creating a further division between the medieval historic core of Hose and the scheduled monument. In addition, the further encroachment of development beyond the current extent of the village would represent a visual intrusion into the sense of distance from this settlement that is an important part of the experience of the scheduled monument.

Historic England's advice is provided in line with the importance attached to significance and setting with respect to heritage assets as recognised by the Government's National Planning Policy Framework (NPPF) and in guidance, including the

**Monument to the north.**

**The indicative plans show how this is possible and key requirements can be incorporated as conditions.**

Planning Practice Guidance (PPG), and good practice advice notes produced by Historic England on behalf of the Historic Environment Forum (Historic Environment Good Practice Advice in Planning Notes (2015)). Detailed guidance on assessing heritage significance and the impact of development on the significance and setting of a heritage asset is set out within these documents.

The Desk-based Assessment provides a limited assessment of the potential impact of the proposals regarding a nuanced understanding of the relationship between the moated grange and shrunken medieval village. It also fails to reference the earthwork survey produced in the 1980s by Fred Hartley for Leicestershire Museums. It does not therefore provide a detailed structured description of the earthworks. However, the results of the trial excavation have been synthesised in relation to the earthwork survey, and the conclusions could be used to inform further mitigation and a sensitive design and layout for the proposed development. Overall, the application provides sufficient detail for your authority to assess the impact of the proposed development on the significance of the heritage assets (NPPF paragraphs 128 and 129).

The proposed development site was put forward under the Melton Local Plan policy HOS2 with input from Historic England, it states: 'Development of the site reference HOS2 will be supported provided: The northern boundary of the site provides an adequate buffer with soft landscaping and suitable boundary treatment to respect open countryside and the scheduled monument to the north.' We consider the buffer shown on the illustrative master plan is inadequate and would result in harm to the significance of the scheduled monument (NPPF paragraph 132). The final design and layout of the development must address this issue.

The archaeological trial excavation has confirmed the presence of a north-east - south-west aligned hollow way that was tentatively identified in both the Hartley and geophysical surveys. The feature connects the moated grange with the shrunken medieval village and therefore its significance has also been confirmed. As previously suggested to the applicant, harm to the significance of the scheduled monument could be minimised if the route of the hollow way could be represented in the design and layout of the proposed development (NPPF paragraphs 131 and 132).

#### **Recommendation**

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 131 and 132 of the NPPF. Historic England would object to the

<p>proposed development if the final design and layout fails to provide an adequate buffer to respect the open countryside and scheduled monument to the north.</p> <p>The views and advice of the Principal Archaeologist for Leicestershire County Council should also be sought concerning this application and any further mitigation required for the proposed development site.</p>	
<p><b>CHH Parish Council</b></p> <p>The Parish Council objects to this application as it is contrary to the Neighbourhood Plan policies:</p> <ul style="list-style-type: none"> <li>• H2 Housing site allocations</li> <li>• H3 Limits to development</li> </ul>	<p>Consideration of the Local Plan and its conflict with the Neighbourhood Plan has been considered below.</p>
<p><b>NHS</b></p> <p>The development is proposing to develop 35 houses, which, when based on the average occupancy of a practice dwelling of 2.42 would result in an increased patient population of approx. 84.7.</p> <p>This growth will increase the practice list size by approximately 85 patients. An increase in the practice list will create additional pressure on clinicians and admin teams.</p> <p>Contribution request of £10,611.22 (for Long Clawson Medical Practice)</p>	<p>S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects.</p> <p>A request of £10,611.22 has been made from the NHS for Long Clawson Medical Practice, where it is considered that future residents would visit. This is based on the costs of building extension to the premises. However the information provided does not identify the existing capacity of the facility and whether this development would result in a need for its expansion</p> <p>It is therefore considered that whilst the contributions relate appropriately to the development in terms of their nature and scale, there is insufficient information available to ascertain whether they are made necessary by the proposed development. As such it cannot be concluded that they comply with CIL Reg. 122.</p>
<p><b>Designing Out Crime Officer</b></p> <p>I have reviewed this application and have no objections in relation to this application. There will be no application for Section 106 funding in respect to this application.</p>	<p>Noted.</p>
<p><b>Environment Agency</b></p> <p>We have reviewed the submitted documents and on this occasion the Environment Agency will not be making any formal comment on the submission for the following reason:</p> <p>There are no environmental constraints associated with the application site which fall within the remit of the Environment Agency.</p>	<p>Noted. The site is in flood zone one and therefore considered to be at low risk of flooding.</p>
<p><b>LLFA</b></p> <p>The site lies wholly in Flood Zone 1 and has a low surface water flood risk. The submitted drainage and flood risk details appear technically acceptable to the LLFA at this stage.</p>	<p>Noted comments received. Conditions as requested can be included in the decision.</p>

<p>The proposed development would be considered acceptable to Leicestershire County Council as the LLFA subject to the submission of surface water drainage scheme, its management and maintenance along with details of infiltration testing and an updated FRA being submitted to the LPA for consideration, all of which are to be secured by condition.</p>	
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**Representations:-**

As a result of a site notice and neighbour notification letters, representations of support from 8 separate households and objections from 12 separate households have been received for the application.

**Objections**

<b>Representation</b>	<b>Assessment of Assistant Director of Planning and Regulatory Services</b>
<ul style="list-style-type: none"> <li>• Development is large and not connected to the village apart from the main road and will become its own community.</li> <li>• Application will open up the North and West of the village with future development as outlined in red on the Archaeology report, possibly linking with the site granted permission on Canal Lane and possibly a further site on Canal Lane.</li> <li>• Need to maintain current residents privacy, light and lifestyle choices – these are often overlooked.</li> <li>• Density is out of keeping with the rest of the village and does not provide a sustainable transition from village to countryside.</li> <li>• Represents a significant increase in population size.</li> <li>• Detracts from close community.</li> <li>• Design and materials should be reserved for future. (and adhere to Neighbourhood and Local Plans).</li> <li>• Our bungalow faces site – concerned about overlooking into the bedroom.</li> <li>• Site allocation is only for 35, however the application only covers half the site and proposes 35. Proposed density, given the edge of village location and proximity to the scheduled monument, GCN breeding ground, impact on local views, village infrastructure and community more generally is too high.</li> <li>• If density is deemed acceptable, as a bare minimum the Local Plan should be amended to un-designate the rest of the site as potential exponential growth in population in village would be unreasonable, unwarranted and deliberately not consulted on.</li> <li>• Local Plan requires a buffer to the northern boundary – do not consider the plan achieves this apparent objective.</li> </ul>	<p>The application site is an allocated site in the Local Plan. This site has also been through examination in public. It is considered that the principle of development on this site is acceptable.</p> <p>As the application is for outline permission with access only, the layout and housing mix will be finalised at reserved matters stage. An indicative layout demonstrates how the proposal could be achieved without causing detriment to either the occupants of existing dwellings nearby or future occupants of the site.</p> <p>The Inspector has considered that the increase in house numbers for the village is acceptable and would not harm sustainability.</p> <p>Materials will be for consideration at reserved matters stage.</p> <p>The types and locations of housing have not been finalised, so at present it is not possible to assess the potential impact on neighbours at this time.</p> <p>The allocations have given an estimated capacity. An indicative layout has been provided in the application to demonstrate how the site could be developed.</p> <p>It would not be possible to un-designate an allocated site in the Local Plan.</p> <p>As the application is for outline permission only, a</p>

<ul style="list-style-type: none"> <li>• At the time of the Neighbourhood Plan consultation, density of the site was lower.</li> <li>• This development along with the other at HOS1 would represent a significant increase in the size of population.</li> <li>• Change character of village beyond recognition.</li> <li>• Considerable over development.</li> </ul>	<p>buffer to the northern boundary can be incorporated into a reserved matters application.</p>
<ul style="list-style-type: none"> <li>• Does not fit with the Neighbourhood Plan, which the Government gave funding and encouraged so that communities had control over their future.</li> <li>• Description names as HOS2 – does not comply with the Neighbourhood Plan as voted for by the village, village committee and Parish Council took great amount of time and effort to compile.</li> <li>• No notification of changes to village plan – name is misleading and almost deceptive.</li> <li>• Not compliant with the Neighbourhood Plan and not designated for development.</li> <li>• Consultation has not concluded on the Local Plan and can be appealed.</li> <li>• Local Plan is at odds with the Neighbourhood Plan in relation to site allocation.</li> <li>• If Local plan is utilised, policy EN2 prevents the site use as there are alternative sites. Relying on a draft Local Plan where the Local Plan is controversially contradicting the Neighbourhood Plan, would be premature and reckless.</li> <li>• Residents rejected site in consultation (Neighbourhood Plan).</li> <li>• Applicant has submitted at a time where the land is not permitted for development, to exploit a potential small window before the Neighbourhood Plan and Local Plan are aligned. Costly to rectify at a later date.</li> <li>• Villagers are relying on protection from the Neighbourhood Plan, consultation is meaningless.</li> <li>• Residential land should be removed from the Local Plan and enhanced to support Great Crested Newts.</li> <li>• Site falls foul of the Neighbourhood Plan due to proximity to Ancient Monument, impact on wildlife and environment.</li> <li>• Council should wait until Local Plan adoption and appeal period has expired.</li> <li>• If Council consider Local Plan to be used, should consider policy EN2 – existence of GCN and available alternative sites (including housing allocations in Parish) which achieves Local Plan quota under Neighbourhood Plans, means that planning permission could not be granted without contravening the Local and Neighbourhood Plans.</li> <li>• Any decision to permit would not be Local</li> </ul>	<p>The Neighbourhood Plan has not allocated this site for development, however it has been proposed in the Local Plan.</p> <p>HOS2 is the Local Plan allocated reference number for the application.</p> <p>The Inspector for the Local Plan did discuss the issue of the site not being allocated in the Neighbourhood Plan but did not consider this to be an issue. The Inspector was satisfied that the site should be an allocated site in the adopted Local Plan.</p> <p>The Local Plan has now been adopted.</p> <p>It is considered that the development can be designed to take into account the Local and Neighbourhood Plan policies.</p> <p>The application is considered in light of the applicable policies at the time of the decision.</p> <p>LCC Ecology have raised no objection to the proposed development.</p> <p>Historic England, LCC Archaeology and MBC Conservation raise no objection to the proposed development.</p>



<p>Plan compliant.</p> <ul style="list-style-type: none"> <li>• Comments about local residents support are incorrect – site was rejected by residents.</li> <li>• Suggestion site is favoured over others is wrong and undermines the credibility of the proposed use.</li> <li>• Reliance that the Council may place on community support would be misplaced.</li> <li>• If granted, this makes a mockery of our democratic rights as a nation and once again the peoples wishes and way of life are ignored for the sake of monetary gains.</li> <li>• 25% increase in the size of the village.</li> </ul>	<p>The site is an allocated in the Local Plan and the proposed development is not considered to represent a departure from the Local plan.</p> <p>All representations submitted to Melton Borough Council in relation to this application have been taken into account.</p>
<ul style="list-style-type: none"> <li>• Greater consideration is needed for the infrastructure – school capacity, recreational facilities, Drs, drainage, broadband, upgrading of single track and speeding.</li> <li>• Need provision of play facilities, pedestrian crossing to village hall and school building.</li> <li>• Infrastructure in and around the village has limited capacity.</li> <li>• Development should be carried out in a measured way.</li> <li>• Hose is a small, tranquil village and construction of substantial development would not be welcomed.</li> <li>• Busy surgery will need to be re-development.</li> <li>• Issues with drainage.</li> <li>• Construction is adjacent to existing houses, may present a flood risk. Neighbouring properties have previously flooded.</li> </ul>	<p>LCC have made contribution requests for education and civic amenities. Additionally, there has been a contribution request from LCC Highways.</p> <p>A pedestrian crossing has not been requested as part of the highways contribution.</p> <p>The NHS has made a contribution request in relation to the existing surgery at Long Clawson.</p> <p>The LLFA raise no objection to the application, subject to conditions. The site is in Flood Zone 1 and is at low risk of flooding.</p>
<ul style="list-style-type: none"> <li>• Restriction of traffic/ construction times.</li> <li>• Should consider moving boundary hedge to the north to improve visibility.</li> <li>• Extend 30mph zone, support this however visibility splays should be enlarged.</li> <li>• Issues and risks for units 1, 2 and 3 not addressed in Transport Assessment and plan does not show visibility splay.</li> <li>• Should install a footpath to connect the site to the village. Should also fund improvements e.g. better surfacing and lighting.</li> <li>• With 35 new dwellings, there will be a minimum of 35 more cars using the lane.</li> <li>• Well used public footpath across the site.</li> <li>• Increase in accidents at the location, especially given the speeds of vehicles, regardless of the 30mph limit.</li> <li>• Another access onto already busy road.</li> </ul>	<p>LCC Highways have raised no objection to the proposed development, subject to the inclusion of conditions. This includes a construction management plan.</p> <p>The public footpath can be incorporated in the design of the development at reserved matters stage.</p>
<ul style="list-style-type: none"> <li>• Farm land and Green Belt is often taken too often where brownfield sites could be available in the future for development within the village.</li> <li>• Site is a home to breeding Great Crested Newts and alternative sites are available. Plans are not comparable and ignore a number of requirements (in relation to the</li> </ul>	<p>The site is not in the Green Belt. Available sites were assessed for the Local Plan and this site was considered to be appropriate for development.</p>

<p>Ecology survey).</p> <ul style="list-style-type: none"> <li>Local residents who want to up/downsize should be offered first refusal on properties.</li> <li>Great Crested Newt survey cannot be condition of planning and must be in place before planning is sought. Given that plans are different and the survey is only accurate for one year, Council may deem survey no longer fit for purpose and require application is rejected whilst revised survey is obtained.</li> </ul>	<p>Whilst there is a cascade for affordable housing, for housing to address local need, there is no requirement for the developer to have to provide market dwellings to the local residents first.</p> <p>No issue regarding the date of the GCN survey has been raised from LCC Ecology.</p>
<ul style="list-style-type: none"> <li>Letters sent late and posting of site notice late, all sent on different dates with 21 days to reply.</li> <li>No notice on village board, which most villagers would read and no notice at site entrance.</li> <li>Not consulted local villagers or Parish Council and immediately affected, given insufficient time to respond.</li> <li>Appears to be window of opportunity to push through without full consultation of villagers and Parish Council.</li> <li>Timing tactics used (in relation to Local and Neighbourhood Plans).</li> <li>Consultation is meaningless – consultation was carried out under Neighbourhood Plan regime.</li> </ul>	<p>Sufficient consultation has been carried out on the application and interested parties have had sufficient time to comment on the application (over the minimum required 21 days). Nearby residential occupiers were notified by letter, a site notice was posted at the site and an advert placed in the Melton Times. There is no requirement to post a site notice on a village notice board. Additionally, the Parish Council were consulted directly on the application.</p> <p>Melton Borough Council cannot prevent the submission of the application.</p> <p>Determination of the application is taken based on the policies which are applicable on the date of the decision.</p>

## Support

<b>Representation</b>	<b>Assessment of Assistant Director of Planning and Regulatory Services</b>
<ul style="list-style-type: none"> <li>Most sensible site for new housing – on a level site with access to main road.</li> <li>Extensive consultation in village – overwhelming support for this site, however not put forward in the village plan and face three separate developments in the village.</li> <li>Plan was combined with Long Clawson, voted together and Long Clawson residents carried forward (even though many Hose residents are against this).</li> <li>Neighbourhood plan is out of sync with the Local Plan and Neighbourhood Plan needs to be amended.</li> <li>Don't understand why the Neighbourhood Plan was changed.</li> <li>Vote had no time limit and closed before residents had time to comment for responses and those who attending the meeting were in favour of the proposal, those who objected weren't.</li> <li>Consultation and the Parish Council have been challenged by locals on validity of vote and don't feel that this reflected the true views of Hose residents.</li> <li>New Local Plan was improved by the Inspector and land identified. All objections</li> </ul>	<p>The application site is an allocated site in the Local Plan but is not an allocated site in the Neighbourhood Plan.</p> <p>The Neighbourhood Plan had been through independent examination and made in June 2018. Therefore it was considered that the plan was acceptable and as a result forms part of the Development Plan which covers this site.</p> <p>The issues relating to the Neighbourhood Plan process cannot be considered in relation to this application. As the Local Plan was adopted at a later date and is the strategic plan for the Borough, it is considered that the policies (including site allocations) should be given greater weight than the conflicting policies/ allocations in the Neighbourhood Plan.</p>

referencing Bolton Lane site should be discounted, including the Parish council who are still hanging on to the original flawed land allocation in the Neighbourhood Plan.	
<ul style="list-style-type: none"> <li>• Village roads narrow with no footpath/pavement – heavy vehicles are dangerous.</li> <li>• Easy access – safer for residents and visitors.</li> <li>• Application takes traffic away from the centre of the village.</li> <li>• If a road was made from Canal Lane from Harby Lane, this would help with traffic problems the Canal Lane development would cause.</li> </ul>	It is proposed that this development will include the provision of a new footway. LCC Highways raise no objection to the proposed development, subject to the inclusion of conditions.
<ul style="list-style-type: none"> <li>• Development includes low cost housing – required in Hose.</li> <li>• Suitable mix of housing proposed, appropriate to the village needs.</li> <li>• Housing density and size is acceptable and will blend in with the new dwellings on Harby Lane.</li> <li>• Proportionately smaller and more in keeping.</li> </ul>	The proposed development would provide a mix of housing, which would address housing need in the area. The Housing Policy Officer has indicated a mix of dwellings required and a hierarchy for affordable housing. The final mix of housing will be agreed at reserved matters stage (and included as a condition of the outline permission and the affordable housing as a S106 contribution).
<ul style="list-style-type: none"> <li>• Previously identified sites would necessitate works vehicles trying to pass on narrow, windy roads through the village centre, where residents park cars on the road (through necessity) due to no garages/ off street parking.</li> <li>• To not adopt renders the village too many months disturbance from construction.</li> <li>• Risk of industrial accident to the roads (in relation to other sites).</li> </ul>	LCC Highways raise no objection to the proposed development of the application site under consideration.  The other allocated sites are not for consideration in relation to this application.

**Other Material Considerations Not Raised In Representations:-**

<b>Other Material Considerations</b>	<b>Assessment of Assistant Director of Planning and Regulatory Services</b>
<p><b>Inspectors Report on the Local Plan</b></p> <p>The application site was considered in the Local Plan examination by the Inspector, who came to the following conclusion in their report:</p> <p>110. HOS2 (land off Harby Lane) is on the north-eastern edge of Hose and its development will require sensitive boundary treatment to respect the settlement edge and protect the setting of the Scheduled Monument to the north of the site. The policy includes a criterion to this effect, which is acceptable to Historic England. The site was allocated at the Focused Changes stage, while the originally allocated HOS2 (land off Canal Lane) and HOS3 were deleted. This does not reflect the aspirations of the local community as set out in the NP.</p> <p>111. However, in the interests of ensuring a supply of</p>	<p>During the examination of the Local Plan, the Inspector considered that the application site (HOS2 in the Local Plan) had not been included as an allocated site in the Neighbourhood Plan, and “does not reflect the aspirations of the local community”.</p> <p>However the Inspector further goes on to state that the Council are justified in preferring the allocated site (to ensure a supply of deliverable sites) and that there would be insufficient evidence to conclude that the inclusion of this site in the Local Plan would be unsustainable for the village (taking into account the other allocated sites and planning permissions).</p> <p>Whilst objection has been received in relation to the conflict between the Neighbourhood and Local Plans, the Inspector concluded that the additional allocated site in the Local Plan was acceptable and subsequently</p>

<p>deliverable sites in the early years following adoption of the Plan, the Council is justified in preferring the site west of Harby Lane to the original HOS2 and HOS3 sites. Overall, <b>there is sufficient evidence to conclude that the allocation is sound.</b> In the interests of a justified plan, MM4 deletes an obsolete reference to the superseded HOS2 and HOS3 and updates the site assessment table for HOS1 in the light of a recent planning permission. As a result, the Plan allocates 76 dwellings to this village. <b>While this will be a significant enlargement, there is insufficient reason to conclude that it would be unsustainable.</b></p>	<p>the plan was adopted including the allocated site. It is not considered that the refusal of the application on the basis that it is not allocated in the Neighbourhood Plan would be sufficient.</p>
<p><b>Local Plan Site Specific Requirements</b></p> <p>Policy HOS2: Development of the site reference HOS2 will be supported provided: The northern boundary of the site provides an adequate buffer with soft landscaping and suitable boundary treatment to respect the adjacent open countryside and Scheduled Monument to the north.</p>	<p>As the application is for outline permission at present, there is no boundary treatment to consider at present.</p>

**Conclusion:-**

Whilst it is acknowledged that the application site is not allocated in the Neighbourhood Plan, it is allocated in the Local Plan. The Local Plan was adopted more recently than the Neighbourhood Plan and therefore achieves ‘primacy’ under the applicable law.

Whilst the proposed development would provide more housing than identified in the Neighbourhood Plan, the housing requirement is a minimum only, and there is nothing to prevent the provision of more housing. The Inspector for the Local Plan noted in her final report that the development of this site would not harm the sustainability of the village.

Affordable housing provision remains one of the Council’s key priorities. This application presents some affordable housing that helps to meet identified local needs. Accordingly, the application presents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the local market housing needs.

**The site is allocated for development in the adopted Melton Local Plan. The application is in outline and demonstrates how this allocation can be fulfilled, including the site specific criteria applied by the Plan. No material considerations are present which indicate the decision should depart from the development plan.**

**Recommendation: - Permit, subject to:**

- (a) The completion of an agreement under S106 for the quantities asset out in the above report to secure:
  - (i) Contribution to primary education provision
  - (ii) Contribution to secondary education provision.
  - (iii) Contribution to civic amenity provisions.
  - (iv) Contribution to sustainable transport options.
  - (v) The provision of affordable housing, including the quality, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs

(b) The following conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site until approval of the details of the "external appearance of the buildings, Layout, Scale and Landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
3. The reserved matters as required by condition 2 above, shall provide for a mixed of types and sizes of dwellings that will meet the area's local market housing need.
4. No development shall start on site until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. A Landscape Management Plan (including Biodiversity), including a maintenance schedule and a written undertaking, including proposals for the long term management of landscape areas (other than small, privately occupied, domestic garden areas) shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner.
6. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
7. No part of the development hereby permitted shall be occupied until such time as the access and pedestrian footway arrangements shown on HSSP drawing number 7485 04 10 Rev B have been implemented in full. The visibility splays, once provided shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.
8. Prior to occupation of the first dwelling hereby permitted, details of the design for off-site highway works being the relocation of the national/60mph speed limit and a speed reduction scheme on Harby Lane in the vicinity of the site accesses shall be approved and implemented to the satisfaction of the Local Planning Authority. Any street furniture or lining that requires relocation or alteration shall be carried out entirely at the expense of the Applicant who shall first obtain separate consent of the Highway Authority.
9. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, 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.
10. No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been [submitted to and] approved by the local planning authority in writing. For land that is

included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
  - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.
11. No development shall take place until a scheme for the treatment of the Public Footpaths has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, fencing, surfacing, width, structures, signing and landscaping together with a timetable for its implementation. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable.
  12. 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.
  13. 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.
  14. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.
  15. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.
  16. The reserved matters application should retain an area of informal open space to the West and North of the Site. The informal open space to the west and north should comprise semi-natural vegetation and locally native species to provide a corridor for GCN.
  17. The development shall be carried out in accordance with the mitigation recommendations in Table 9 of the Great Crested Newt Survey (Brindle & Green, June 2017). This is to also include the translocation of “pond 2”, as agreed in the email dated 7<sup>th</sup> August 2018 from Nick Cooper to Kirsty Gamble.
  18. As part of the reserved matters application, details of the boundary treatment to the northern boundary shall be provided, which shall provide an adequate buffer to the adjacent Scheduled Monument. The details to be submitted are to include soft landscaping.

**Reasons:**

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. To ensure that the housing needs of the borough are met.
4. To enable the Local Planning Authority to retain control over the external appearance as no details have been submitted.

5. To ensure that due regard is paid to the continuing enhancement and preservation of amenity afforded by landscape areas of communal, public, nature conservation or historical significance.
6. To provide a reasonable period for the replacement of any planting.
7. To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2018).
8. To mitigate the impact of the development, in the general interests of highway safety and in accordance with the National Planning Policy Framework (2018).
9. 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.
10. To ensure satisfactory archaeological investigation and recording.
11. In the interests of amenity, safety and security of users of the Public Footpaths in accordance with Paragraph 98 of the National Planning Policy Framework 2018.
12. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
13. 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.
14. 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 sustainable drainage system within the proposed development.
15. To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.
16. In the interests of protected species.
17. In the interests of protected species.
18. To provide a reasonable buffer to protect the adjacent Scheduled Monument and the open countryside.

**Officer to Contact: Mrs J Lunn**

**Date: 31<sup>st</sup> October 2018**

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COMMITTEE DATE: 15<sup>th</sup> November 2018

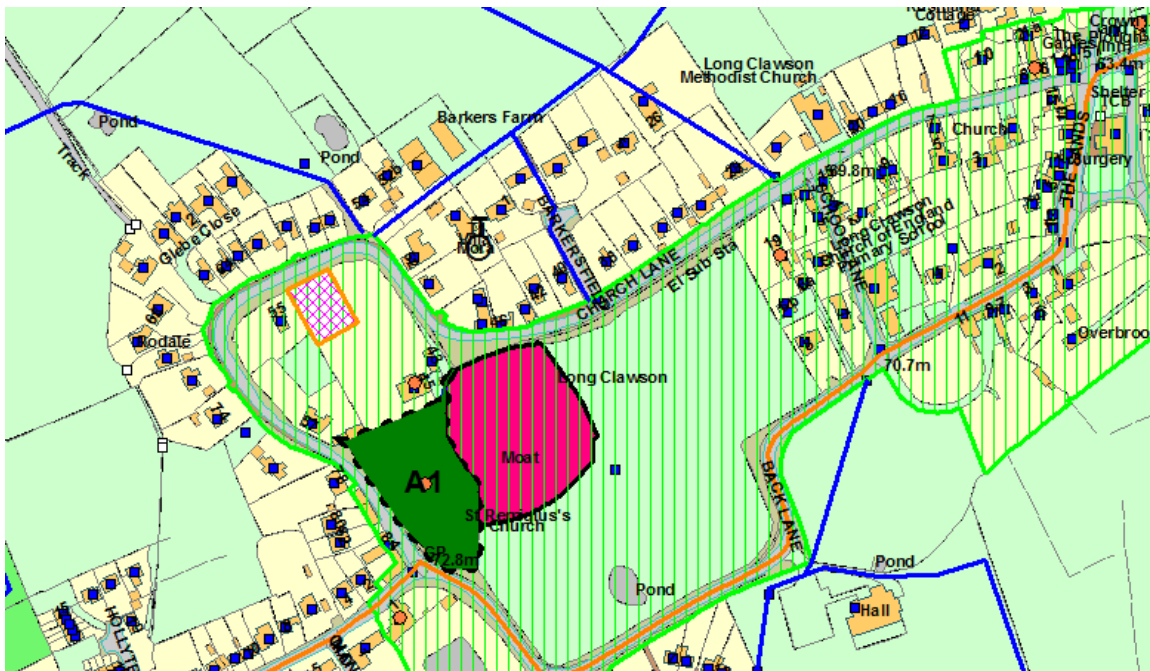
**Reference:** 18/00981/FUL

**Date submitted:** 16<sup>th</sup> August 2018

**Applicant:** Mr & Mrs P & E Connor

**Location:** The Old Vicarage, 43 Church Lane, Long Clawson

**Proposal:** Proposed erection of 1 no dwelling in the paddock area adjoining The Old Vicarage, (resubmission of withdrawn application 17/01472/FUL)



## Proposal :-

The application site is located to the south of Church Lane towards the centre of the village of Long Clawson within the main built up part of the settlement. The site forms part of the curtilage to the Old Vicarage which lies to the south-east of the site. The site has a gated access from Church Lane to the north and is bounded by a hedgerow to the highway and also contains a number of trees. The site is adjacent to residential properties to the west and north with the curtilage of the Old Vicarage to the south and east. Further to the south is the Church of St Remigius and the site lies within the Conservation Area.

The application proposes the erection of a dwelling sited to the north-west of the site. There is an access proposed onto Church Lane with a parking and turning area beyond and access to a proposed detached cart shed. The proposed dwelling would accommodate a sitting room, study, hall, cloaks and kitchen/breakfast room on the ground floor with three bedrooms, one with ensuite and dressing room, and a bathroom at first floor.

The application has been accompanied by a Bat Survey, Great Crested Newt Survey, Tree Survey and Archaeology Survey.

**It is considered that the main issues arising from this proposal are:**

- **Compliance or otherwise with the Development Plan, Neighbourhood Plan and the NPPF**
- **Principle of development**
- **Impact upon the character of the area**
- **Impact upon residential amenities**
- **Impact upon heritage assets**
- **Highway Safety**
- **Ecology**

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

**History:-**

17/01472/FUL – Proposed erection of three dwellings – Withdrawn.

**Planning Policies:-**

**The Melton Local Plan 2011-2036 was adopted on 10<sup>th</sup> October 2018 and is the Development Plan for the area in addition to the Neighbourhood Plan. Under s.38(6) planning decisions must follow the policies of the of the Plan unless material considerations indicate otherwise**

Policy SS1 sets out a presumption in favour of sustainable development.

Policy SS2 sets out the Borough wide development strategy and states that Service Centres and Rural Hubs will accommodate approximately 35% of the Borough's housing residual requirement delivered on allocated sites and windfall sites.

Policy SS3 states in addition to allocated sites permission will be granted for new residential development in the rural area within or on the edge of existing settlements, provided it is in keeping with the scale and character of the host settlement and where certain criteria are met. These include demonstrating a proven local need, respecting the settlement character, being served by sustainable infrastructure, respecting ecology and heritage and providing adequate drainage.

Policy C2 seeks to manage the delivery of a mix of house types, tenures and sizes to balance the current housing offer.

Policy EN2 seeks to achieve net gains for nature and proactively seek habitat creation as part of new development proposals and to protect and enhance biodiversity.

Policy EN6 states development proposals will be supported where they do not harm open areas which, contribute positively to the individual character of a settlement, contribute to the setting of historic built form and features or contribute to the key characteristics and features of conservation areas.

Policy EN8 states all new development proposals will be required to demonstrate how the need to mitigate and adapt to climate change has been considered.

Policy EN11 seeks to ensure development proposals do not increase flood risk and will seek to reduce flood risk to others.

Policy EN13 states the Council will take a positive approach to the conservation of heritage assets and the wider historic environment.

Policy D1 seeks to raise the standard of design through siting and design being sympathetic to the character of the area, to protect the amenity of neighbours, utilise the existing trees and hedges together with new landscaping and make adequate car parking provision.

## **Clawson, Hose and Harby Neighbourhood Plan**

**The Clawson, Hose and Harby Neighbourhood Plan was made in June 2018. It is considered that the following policies are applicable to this proposal.**

Policy H1 states new housing will be delivered through the development of the housing allocations identified in Policy H2 of this Plan and through windfall developments that accord with Policy H4 of this Plan.

Policy H3 is generally supportive of development within the limits to development, subject to meeting a range of criteria

Policy H4 states residential development proposals on infill and redevelopment sites will be supported subject to proposals being well designed and meeting relevant requirements set out in other policies in this Plan and where development meets criteria including comprising a restricted gap in the continuity of existing frontage buildings where the site is closely surrounded by buildings, is within or adjacent to the Limits to Development and meet the criteria in Policy H3, does not adversely impact on the character of the area, or the amenity of neighbours and the layout and yield of the site respects the character of the immediate locality in terms of building orientation, massing and materials.

Policy H5 seeks a mixture of housing types specifically to meet identified local needs in the villages of Harby, Hose and Long Clawson with priority given to dwellings of 1, 2 and 3 bedrooms.

Policy H7 states proposals for new dwellings will be supported where they comply with the certain criteria.

Policy ENV4 states development proposals should not damage or adversely affect sites designated for their nature conservation importance.

Policy ENV6 states trees and hedgerows of good arboricultural, biodiversity and amenity value should be protected from loss or damage as a result of development.

Policy ENV8 states development proposals should respect the open views and vistas and proposals which would have an unacceptably detrimental impact on these views and vistas will not be supported.

Policy T4 states for residential developments, adequate off-road parking should be provided as a minimum of two car parking spaces for dwellings of two bedrooms or less, three spaces for dwellings of three bedrooms or more.

## **National Planning Policy Framework (July 2018)**

The Local Plan has been examined and it has been concluded it is compatible with the NPPF 2012 version. There are not considered to be any changes in the 2018 version that renders the policies applicable to this application 'out of date'.

## **Planning (Listed Buildings and Conservation Areas) Act 1990**

The site lies within the Long Clawson Conservation Area and adjacent to a listed building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. In this context, the objective of preservation is to cause no harm and is a matter of paramount concern in the planning process. Section 72(1) imposes a requirement in relation to the consideration and determination of planning applications which affect conservation areas, that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

**Consultations:**

Consultation reply	Assessment of Asst. Director of Strategic Planning and Regulatory Services
<p><b>Clawson, Hose and Harby Parish Council: Object.</b></p> <p>The site is in the Long Clawson Conservation Area and in the grounds of a grade II listed building and the development would detract from both.</p> <p>The proposal would be contrary to the Neighbourhood Plan Policy ENV8 by interrupting important view 13 across this area.</p>	<p>The site lies within the conservation area for Long Clawson and to the south-east of the site is the grade II listed building, The Old Vicarage. The proposed dwelling is to be sited on a parcel of land to the north-west of The Old Rectory with a significant separation distance in between the existing and proposed dwelling. The proposed dwelling would be in line with the adjacent property, No. 55 Church Lane, and would front Church Lane to the north.</p> <p>Given this separation distance it is not considered the setting of the listed building would be harmed by the proposal. The key visual and physical relationship between the Church and The Old Rectory would not be affected and the residential curtilage of The Old Rectory would remain. The proposed dwelling would be visible from The Old Rectory but the proposal would not adversely affect the appreciation of the significance of the heritage asset, provided by its setting.</p> <p>The design and scale of the property is considered to be acceptable and would respect the built form along Church Lane. The proposal would develop a small portion of currently open space but would be read as a continuation of the built form. The open space would remain to the side and rear and the majority of trees and hedgerow would remain. The open space concerned is not ‘designated’ in either Local or Neighbourhood Plans.</p> <p>The proposed dwelling would be one and a half storey with a ridge height under 7 metres and would not be unduly prominent when viewed from Church Lane. The style and character of the property is traditional in appearance and the proposed cart shed has a traditional profile and would not appear unduly prominent.</p> <p>The combination of rustic red brickwork with gabled timber windows and bargeboards would mitigate the impact of the new dwelling in a sensitive part of the Conservation Area. Subject to conditions regarding the details of the proposal it is considered the scheme would preserve the character and appearance of this part of the Conservation Area.</p> <p>Policy ENV8 relates to the protection of open views and the site lies close to the identified open views and vistas, number 13, which is west across Castle Field from Back Lane. Appendix 2 states that this is a highly valued open area of historical and landscape significance within the village.</p>

<p>The proposal is contrary to NP Policy H7 Housing Design points a), d), e) and f).</p>	<p>It is considered the application site is well screened by trees and mature boundaries and does not form part of the open area to the south of the site across Castle Field which allows the view identified in the NP. As a separate enclosed curtilage site it is not considered that the proposal would impact on the identified open view. As such, it is not considered that the proposal would be contrary to Policy ENV8 of the NP.</p> <p>Policy H7 identifies the criteria against which the design of new housing should be assessed against. Point a) states that “the design should enhance and reinforce the local distinctiveness and character of the area in which it is situated, particularly within the Conservation Areas”.</p> <p>The proposed three bedroom dwelling is to be constructed in red brick with a plain tile roof and has been designed to be one and a half storey incorporating pitched dormer windows and a projecting gable. The dwelling is to be sited adjacent to No.55 Church Lane, a relatively modern property, and is to front Church Lane to the north. This part of Church Lane is characterised by relatively modern properties of a variety of styles and designs. Red brick is the predominant material along Church Lane and a number of properties have pitched dormer windows in the front elevations. The design of the property is considered to be in keeping with the character and local distinctiveness of the area.</p> <p>Point d) states that “the development should not disrupt the visual amenities of the street scene nor harm any significant wider landscape views or environmental asset, including significant natural habitats”.</p> <p>The property would front onto Church Lane and would respect the form of buildings along this part of Church Lane and in this respect would be in keeping with the streetscene. The proposal would only develop part of the open space and the spacious, open setting to this part of Church Lane would largely remain. Furthermore, a bat survey and great crested newts survey have been submitted with the application and the proposal would not have any significant impact on a natural habitat.</p> <p>Point e) states that “the quality of design of new buildings and their layout should positively add to the historical character of the villages, listed and historic buildings and their settings should be conserved or enhanced. However, contemporary and innovative materials and design will be supported where positive improvement can be robustly demonstrated without detracting from the</p>
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<p>The NP requires 3 parking spaces for a 3 bedroom dwelling and only 2 spaces are shown.</p> <p>There is no pedestrian footpath on this side of Church Lane.</p>	<p>historic context”.</p> <p>The site is within the historic core of the village, being sited within the designated Conservation Area and in close proximity to the grade II listed building. The design and scale of the property respects the built form along Church Lane and would preserve the appearance and form of this part of the designation. The property is sited a significant distance from The Old Rectory on a detached parcel of land and would not be harmful to the setting of this building.</p> <p>Point f) states that “new buildings should be designed to respect and respond positively to the visual character and the architectural massing of the neighbouring area. Materials should be chosen to blend with the design of the area and add to the quality or character of the surrounding environment and of the Conservation Areas and the setting of listed buildings”.</p> <p>The proposed dwelling would be constructed in materials similar to surrounding properties and the design of the property is sympathetic to the visual character of the area.</p> <p><b>Overall, the proposal is considered to be in line with Policy H7 of the NP.</b></p> <p>Policy T4 of the NP states that for residential developments, adequate off-road parking should be provided as a minimum of two car parking spaces for dwellings of two bedrooms or less, three spaces for dwellings of three bedrooms or more. The layout plan shows parking for two cars within the proposed double cart shed. The access and turning area are sufficient to allow additional parking. As such, adequate parking provision can be provided within the site in accordance with Policy T4 of the NP.</p> <p>Policy T3 of the NP relates to measures to improve and join up pavements, footpaths and cycle/bridleways into comprehensive networks. This application proposes a single dwelling to the south of Church Lane which currently has a grass verge. The property to the west has no pavement and this side of Church Lane is characterised by a grass verge. It would not be reasonable to expect the provision of one dwelling to provide a pavement to this side of the highway, where there is currently no pavement. In addition, it is not considered the absence of a footpath would lead to significant highway dangers.</p> <p><b>Overall, it is considered the proposal would preserve the character and appearance of the Conservation Area, would not affect the setting of any listed building, the proposed dwelling</b></p>
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	<b>would be sympathetic to its surroundings and context, would not adversely affect key views and open space and would provide adequate parking and access.</b>
<p><b>Conservation Officer: No objection.</b></p> <p>Conservation does not object to the proposal. The 1.5 storey dwelling, with a ridge height at under 7 meters, will not be unduly prominent when viewed from the streetscene, and the style and character of the property is traditional in appearance. The proposed cart shed has a traditional profile and will not appear unduly prominent.</p> <p>The combination of rustic red brickwork with gabled timber windows and bargeboards will mitigate the impact of the new dwelling in a sensitive aspect of the conservation area. A recommendation is made to seek a brick bond within the planning conditions, as a stretcher bonded brick house in this location will appear modern and will distort the attempt that has been made to construct a traditional dwelling. Conditions are recommended.</p>	<p>Noted. The assessment of the development in terms of the Conservation Area and listed buildings is set out above.</p> <p>It is not considered that the proposal would have a harmful impact on the character or appearance of the Conservation Area or on the setting of any listed building.</p>
<b>LCC Ecology: No objection subject to conditions.</b>	Noted.
<p><b>LCC Archaeology: No objection.</b></p> <p>The application site falls within the Historic settlement core of Long Clawson and the Long Clawson conservation area. It is adjacent to the Manor House Moat, St Remigus Church listed grade II* and The Old Vicarage listed grade II.</p> <p>In that context it is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, including as necessary intrusive and non-intrusive investigation and recording.</p>	Noted. This can be controlled by means of a condition.

**Representations:**

A site notice was posted and neighbouring properties consulted. As a result **13 letters of objection have been received from 11 households**, objecting on the following grounds:

<b>Representations</b>	<b>Assessment of Head of Strategic Planning and Regulatory Services</b>
<p><b>Impact on Residential Amenity</b> Proximity to neighbouring property</p>	<p>The proposed dwelling is to be sited to the south of Church Lane and would border the gardens of The Old Vicarage to the east and south. The dwelling would be sited some distance from the Old Vicarage and due to the distance separation involved and would not have any adverse impact on this property.</p>

	<p>To the north the properties would be separated by the highway and would not be adversely impact on by the proposed development.</p> <p>Adjacent to the proposed dwelling to the west is No. 55 Church Lane. This is a detached property which is currently screened by a mature hedge. The hedge is proposed to be retained and the property has been designed with no windows on the western elevation facing the neighbouring property. The proposed dwelling would be sited 4.5 metres from the rear of the garage to this property. Due to the design, siting, orientation and separation to No. 55, it is not considered that the proposal would have an adverse impact on the adjacent property to the west.</p> <p><b>It is therefore not considered that the proposal would have an undue adverse impact on the residential amenities of occupiers of neighbouring properties.</b></p>
<p><b>Highway Safety</b></p> <p>Access is between two blind bends, additional housing on Church Lane approved will have a cumulative impact, there is no pedestrian access, there should be a footpath provided along the frontage to link to the existing footpath.</p>	<p>The proposed dwelling would be accessed via a new vehicular access in place of a gated access. As assessed above adequate access, visibility, parking and turning can be provided within the site. The access would allow for a 2m by 33m forward visibility splay. The access would be hard bound for the first 13 metres and parking and turning is to be provided to the south of the dwelling to the east of the plot.</p> <p>There is currently no hard surfaced footpath to the south of Church Lane. It is considered unreasonable to insist on the provision of a footpath to serve the proposed dwelling where there is no current footpath to the south of Church Lane.</p> <p><b>It is considered that the proposed would not have a detrimental impact on highway safety.</b></p>
<p><b>Character of the Area</b></p> <p>The proposal would not preserve or enhance the Conservation Area, the site sits within a historic cluster including the Grade II* listed Manor House, the Grade II* listed St Remigius Church, the Scheduled Moated Site and the Vicarage itself, it forms a part of the setting for all of these heritage assets and the development would not enhance what is already in situ but will detract from the views both into and out of these particularly valuable buildings. The paddock is clearly part of the Castle Field, this has remained undisturbed, it is an ancient important open space. There is potential archaeological interest. This part of the village would be destroyed, views and character would be affected, the orchard will be hidden by the proposed dwelling, the site is a</p>	<p>Noted. An assessment on the impact of heritage assets is contained above within the report.</p> <p>Castle Field lies to the south east of The Old Vicarage and this site does not form part of this identified open space. The site forms part of the curtilage and former orchard to The Old Vicarage and is physically separate from Castle Field. The site has different characteristics to the land to the south-east and is well screened and separated by mature hedgerows and trees.</p> <p>An archaeological assessment has been submitted with the application and reviewed by the County Council. LCC Archaeology has raised no objection to the proposal subject to a condition for an appropriate programme of archaeological mitigation, including as</p>



<p>Protected Open Area and the development would lead to the destruction of Local Green Space for which the latest Melton Plan recommends a reinforcement of its status.</p>	<p>necessary intrusive and non-intrusive investigation and recording.</p> <p>Policy EN1 states that new developments will be supported where they do not adversely affect an area's sense of place and local distinctiveness and do not adversely affect areas of tranquillity, including those benefiting from dark skies, unless proposals can be adequately mitigated through the use of buffering.</p> <p>Policy EN6 states that development proposals will be supported where they do not harm open areas which contribute positively to the individual character of a settlement and proposals will also be supported where they do not harm individual features of a settlement which contribute towards settlement character.</p> <p>Finally, Policy D1 states that the siting and layout of a development must be sympathetic to the character of the area and buildings and development should be designed to reflect the wider context of the local area and respect the local vernacular without stifling innovative design.</p> <p>To the west and north of the application site there is residential development along Church Lane and the proposed siting of a dwelling adjacent to No. 55 and opposite properties and recent development to the north the proposal would respect the character and form along this part of Church Lane. The hedgerow and grass verges to the frontage would be retained and with the exception of the proposed access this side of Church Lane would remain relatively unaltered.</p> <p>The proposed dwelling has been designed to have a low roof profile with the first floor at eaves level and has been designed to respect the character and form of other properties along Church Lane.</p> <p>The proposed dwelling and development of the site would not have an adverse impact on the character and form of this part of the village and would comply with Policies EN1, EN6 and D1 of the Local Plan and H7 of the adopted NP.</p> <p>The submitted layout plan shows a new orchard to the rear of the site to form part of The Old Vicarage. This site is currently well screened and has limited views across it. Whilst the Orchard would be screened it would form part of the private residential area of The Old Vicarage and is not a public space or currently has any vantage points from the public realm.</p>
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	<p>Under the Local Plan and Neighbourhood Plan the site is not part of a Protected Open Area or designated local green space.</p> <p><b>It is considered the proposal would be visually acceptable, would not have a detrimental impact on important views or open spaces and complies with the above policies.</b></p>
<p><b>Ecology</b></p> <p>Loss of habitat, impact on pond and great crested newts, the garden to the Vicarage is designated by DEFRA as "Priority Habitat Inventory - Traditional Orchard". "Priority Species - Lapwing" and is also a buffer zone for Willow Tit. There is a lack of a protected species mitigation plan for great crested newts, the proposal would lead to the disruption of local wildlife corridor.</p>	<p>The application has been supported with the submission of a bat and great crested newt survey. These have been reviewed by the County Ecologist who has raised no objection to the proposal.</p> <p><b>The proposal would not have any adverse impact on protected species and would be in accordance with Policy EN2 of the Local Plan and Policy EN4 of the NP.</b></p>
<p><b>Loss of Trees</b></p> <p>In Conservation Area, large trees subject to TPO. loss of trees would dramatically change landscape.</p>	<p>There are no Tree Preservation Orders on the site; however it is within the designated Conservation Area. The site contains a number of trees and the application has been supported with a tree survey, tree plan and root protection plan. Trees to the frontage of the site are on the whole to be retained and root protection areas put in place during the construction of the development. Trees within the site are also to be retained and protected. Additional landscaping and planting are proposed within the site.</p> <p><b>The overall protection and retention of trees is considered to be adequate and would comply with Policy ENV6 of the Neighbourhood Plan.</b></p>
<p><b>Other Matters</b></p> <p>Contrary to Neighbourhood Plan.</p> <p>No proven need for more housing.</p>	<p>An assessment of the proposal against the Neighbourhood Plan is contained within the report.</p> <p>Paragraph 59 the NPPF states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed. Paragraph 68 states that support should be given to windfall sites and great weight should be given to the benefits of using suitable sites within existing settlements for homes. Policy SS2 of the Local Plan and Policy H4 of the NP supports windfall development within existing settlements and therefore the principle of a dwelling in this location is supported.</p>

<p>Pressure on village infrastructure, the village school is over subscribed.</p>	<p>Noted. The application proposes one additional dwelling within a sustainable settlement which is considered capable of accommodating new development.</p>
<p>Lack of a drainage assessment – no SUDS assessment, overloading of sewers.</p>	<p>Noted. The application site lies within Flood Zone 1 which has a low probability of flooding. Local Plan Policy EN11 requires that development proposals do not increase flood risk and will seek to reduce flood risk to others. It can be conditioned that adequate surface water and foul drainage can be provided within the site.</p>
<p>Precedent as there was a previous application for three houses and now for 1; should be conditional there is no further housing. The previous application for three dwellings was refused. More houses being built on the road after constant development.</p>	<p>Noted. However, each application should be considered on its own merits and precedence does not play a role in planning. The imposition of a condition to restrict further housing on the site would not meet the relevant test for conditions.</p>

**Other Material Considerations not raised through representations:**

<b>Consideration</b>	<b>Assessment of Asst. Director of Planning and Regulatory Services</b>
<p><b>Principle of Development</b></p> <p>Policies SS1 and SS2 supports development within and adjoining the Service Centres and Rural Hubs and encourages small scale residential ‘windfall’ development, where it would represent sustainable development under Policy SS1.</p> <p>Neighbourhood Plan Policies H1, H3 and H4 are generally supportive of windfall development within the limits to development.</p> <p>The NPPF emphasis the requirement for sustainable development. Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 10 states at the heart of the Framework is a presumption in favour of sustainable development.</p> <p>Paragraph 78 of the NPPF, in relation to rural housing, states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It goes on to state that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services</p>	<p>The application site is within the centre of an identified sustainable settlement and is within close proximity to existing services and facilities. As such, the proposal is considered to be in accordance with Policies SS1 and SS2 of the Local Plan and the requirements of the NPPF, as it would represent sustainable development.</p> <p>The site lies within the village of Long Clawson and within the identified limits to development as defined within the Neighbourhood Plan.</p> <p>The application is within the village of Long Clawson which is classed as sustainable in the Local Plan and is therefore an appropriate area for sustainable development in terms of its general location and access to services.</p> <p>The site lies within the centre of a sustainable service centre and the development would support local services. The proposal would accord with the requirements of the NPPF.</p>

<p>The Housing Needs Study for the Borough has indicated that there is a requirement for two and three bedroomed properties. The provision of 1, 2 and 3 bedrooms and homes suitable for older people including bungalows will be supported. The provision of one 3 bedroom dwelling, which has a bedroom on the ground floor, is considered to meet the locally identified housing needs of the Borough.</p> <p>Policy H5 of the Neighbourhood Plan states that priority should be given to dwellings of 1, 2 and 3 bedrooms and to homes suitable for older people, including 2 and 3 bedroom bungalows and dwellings suitable for those with restricted mobility.</p>	<p>A Housing Needs Study was conducted for the Borough by JG Consulting in August 2016 which concluded the focus of new market housing provision should be on two and three bed properties.</p> <p>This application has been submitted for a three bed one and a half storey dwelling. As such, the proposed three bed dwelling would be in accordance with Policy H5 of the NP.</p> <p><b>Overall, a dwelling at this location is considered acceptable in principle, would meet an identified Borough wide need and comply with the requirements of Neighbourhood Plan Policy H5 and the intentions of the NPPF.</b></p> <p><b>Long Clawson is considered to be a sustainable location and the site lies within the built up form and limits to development of the village and is well connected to the village centre. The proposed dwelling meets an identified local housing need and would contribute to housing provision.</b></p> <p><b>Therefore, in principle the development is considered to be acceptable.</b></p>
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### **Conclusion**

The proposed detached dwelling is within a sustainable village where the principle of development is supported and would meet an identified Borough-wide need. The proposal could be accommodated within the site without having a detrimental impact on the character of the area, neighbouring properties or highway safety. The proposal, subject to conditions, would safeguard the ecology and archaeology on the site. The proposal would not be harmful to the character or appearance of the Conservation Area or adversely affect the setting of any listed building. As such, the proposal is considered to be comply with the Local Plan and Neighbourhood Plan Policies referred to above and principles of the NPPF.

### **Recommendation: APPROVE subject to the following conditions:**

Conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. This permission relates to the following plans: 7407 A OS Rev B Location Plan, 7407 03 10 Rev C Detailed Site Plan, 7407 03 02 Rev B Plans and Elevations and 7407 03 01 Rev C Site Plan.
3. No development shall start on site until all external materials to be used in the development hereby permitted have been agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development. The scheme shall also include planting details for the pond area, to provide the planting mix.

5. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced. Development shall be carried out in accordance with the approved details.
7. No development shall commence until a written scheme of investigation (WSI), informed by an initial stage of trial trenching, has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives and the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works and the programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI. The WSI must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.
8. The approved access, parking and turning, including visibility splays, shall be provided prior to the first occupation of the dwelling hereby approved and shall thereafter be so maintained.
9. The development shall be carried out in accordance with the great crested newt mitigation strategy set out in the Outline Great Crested Newt Mitigation Strategy July 2018.
10. No development shall commence on site until all existing trees and hedges 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 5 cms or more shall be left unsevered.
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. Development shall take place in accordance with these approved details prior to the first occupation of the dwelling hereby approved.
12. Before development commences the following details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with these approved details.
  - a) Details of windows/doors/doors heads/cills. All external joinery including windows and doors shall be of a timber construction only. Details of their design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale, shall be submitted. The windows shall not include trickle vents;
  - b) Brick/stone sample panel. Works shall not commence until such time as a brick sample panel showing brick, bond, mortar and pointing technique shall be provided on site for inspection and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed details;
  - c) Details of treatment of verges & eaves;
  - d) Details of rainwater goods.
13. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015 or any subsequent amendment to that order, no development within

Class A, B, C and E shall be carried out unless planning permission has first been granted for that development by the Local Planning Authority.

14. No development shall take place on site until details of existing and finished site levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such agreed details.
15. Drainage shall be provided within the site such that surface water does not drain into the Public Highway.
16. Any gates to the vehicular access shall be set back a distance of five metres from the highway boundary and shall be hung so as to open inwards only.

#### Reasons

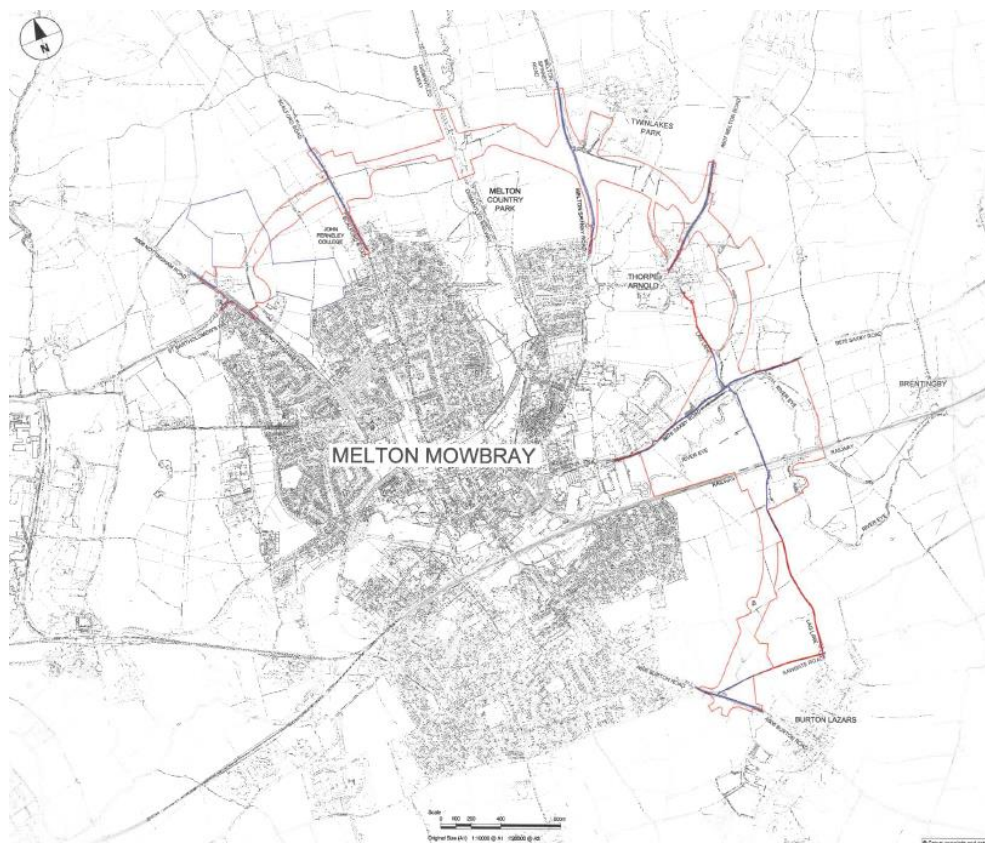
1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance.
4. To ensure satisfactory landscaping is provided within a reasonable period.
5. To provide a reasonable period for the replacement of any planting.
6. To preserve the amenities of the locality.
7. To ensure the archaeology of the site is adequately investigated.
8. In the interests of highway safety.
9. To ensure protected species are safeguarded during development.
10. To ensure that existing trees are adequately protected during construction in the interests of the visual amenities of the area.
11. To ensure adequate drainage is provided.
12. In the interests of visual amenity.
13. In the interests of residential amenity.
14. In the interests of visual and residential amenity.
15. In the interests of highway safety.
16. In the interests of highway safety.

Officer to contact: **Mr Joe Mitson**

**Date:**

COMMITTEE DATE: 15<sup>th</sup> November 2018

- Reference:** 18/01204/CM (County Matter)
- Date Received:** 08.10.2018
- Applicant:** Leicestershire County Council Environment & Transport  
(LCC Planning Officer: Claire Spokes; LCC Ref: 2018/Reg3Ma/0182/LCC)
- Location:** Land to the North and East of Melton Mowbray (c. 200 hectares)
- Proposal:** North and East Melton Mowbray Distributor Road. New distributor road and 3m shared cycle/footway around Melton Mowbray from west of A606 Nottingham Road at St Bartholomew's Way to west of the A606 Burton Road at Sawgate Road including: six new roundabouts; bridges at Scafford Brook, Thorpe Brook, River Eye and the Leicester-Peterborough railway line (to the east of Lag Lane Brentingby Jnct.); and ancillary development including works to connecting roads, diversion of River Eye, creation of new and enhanced habitats, landscaping, demolition of Sysonby Farm, works to cycleways and footpaths, development of a NMU route along Lag Lane/Sawgate Road and flood risk/drainage works (including but not limited to culverts and balancing ponds).



## Introduction:-

The proposal for the northern and eastern sections of the Melton Mowbray Distributor Road (MMDR) has been submitted to Leicestershire County Council by the County Council's Highway Authority under Regulation 3 (Town and Country Planning General Regulations 1992) as it is a County Council led highway scheme. Melton

Borough Council is a statutory consultee to the application, and therefore is expected to provide formal comments to Leicestershire County Council in respect of the planning application.

The project is a result of extensive consultation with the local community and key stakeholders, and forms the core part of the infrastructure required to deliver the homes and businesses that form the basis of the recently adopted Melton Local Plan. The Scheme has been worked up over at least the last 2/3 years by Officers of Melton Borough Council working closely with Policy and Strategy colleagues at Leicestershire County Council. In addition, external contractors have contributed significantly to the collection of data to inform the evidence base, options testing and submission of the Expression of Interest (EOI) and Outline Business Case (OBC) to the Department for Transport (DfT). Following submission of the OBC in December 2017, the Government announced in May 2018 that the bid to the Local Large Majors Fund had been successful, and the scheme was awarded a grant of £49.5m. The planning application was submitted to the County Council at the beginning of October 2018.

The proposed MMDR will run from the north west of Melton Mowbray, linking the A606 Nottingham Road to the south east of the town at the A606 Burton Road. It will cross Scalford Road, Melton Spinney Road, A607 Thorpe Road and B676 Saxby Road, providing roundabouts at each road crossing. There will be a 3 metre footway / cycleway along the entire route of the MMDR to provide links for non-motorised users. The application site is defined by an extensive red line boundary covering approximately 200 hectares around the town to ensure that all impacts of the scheme are fully assessed. This includes land required for the delivery of improvements to footpaths, bridleways and cycle paths, construction compounds and materials storage, and ecological, flood risk and landscaping mitigation and enhancement measures.

The planning application has been submitted with a substantial set of supporting documentation, including Environmental Statement, Transport Assessment, Statement of Community Involvement, Construction Traffic Management Plan, Plans/Drawings, Lighting Plans and Landscape Masterplans.

**It is considered that the main issues arising from this proposal are:**

- **Compliance (or otherwise) with the Development Plan (Local Plan and Neighbourhood Plan) and the NPPF**
- **Impact upon the character of the area**
- **Impact on the environment**

The application is presented to the Planning Committee due to the significance of the project and its links to the delivery of the Development Plan and residents of the Borough.

#### **Relevant History:-**

Given the size and location of the scheme there is extensive planning history on the site and the surrounding area. There are however some key planning applications on or in close proximity to the site. These are detailed below, split by geographical area (those already built out or under construction are not included here):

#### **Northern Sustainable Neighbourhood**

18/00769/OUT – Land north of John Ferneley College, Scalford Road – Proposed development of 19.84ha site to include residential development, open space, play area and associated infrastructure. **Pending Consideration**

18/00359/OUT - Sysonby Farm, Nottingham Road LE13 0NX – Outline planning application for the demolition of Sysonby Farm and development of up to 290 dwellings, local centre, B1 business floor space, primary school and associated infrastructure. **Pending Consideration**

18/00424/CM – Sysonby Farm, Nottingham Road LE13 0NX – Change of use of a disused dairy farm to a temporary highways depot with winter maintenance activities. **Pending Consideration**



16/00926/OUT – Sysonby Lodge, Nottingham Road LE13 0NU – Outline planning application for development of up to 24 dwellings and associated access. **Permitted**

14/00808/OUT – Field No 3968 Melton Spinney Road, Thorpe Arnold – Development of up to 200 dwellings including means of access, open space and associated development. **Permitted**

### **Southern Sustainable Neighbourhood**

15/00082/OUT – Field OS002 Leicester Road – Development of up to 520 dwellings and associated convenience shop, public open space and landscaping. **Appeal lodged for non-determination, appeal held in abeyance.**

15/00910/OUT – Field OS002 Leicester Road - Re-submission of 15/00082/OUT with amended site access arrangements. **Permitted**

16/00515/OUT – Land south of Kirby Lane, Kirby Lane – Development of up to 1500 dwellings, a new local centre, primary school, areas of public open space, drainage and a new link road between Burton Road and Dalby Road and Kirby Lane and Leicester Road. **Pending Consideration** (this application includes the southern section of the MMDR, although as it is only in outline, the detail of the road is not finalised).

15/00127/OUT – Land adjacent to Childs Cottage, Melton Road, Burton Lazars – Erection of up to 175 dwellings and associated public open space, landscaping and drainage infrastructure. **Pending Consideration**

### **Other Schemes in the Area**

15/00029/FUL – Melton Foods LE13 1GA – Development of production extension (1040sqm), storage areas, refrigeration plant room and service yard expansion. **Permitted**

14/00407/FUL – Kettleby Foods, 2 Samworth Way, Melton Mowbray LE13 1GA – Extension of an existing food production facility. **Permitted**

17/00962/FUL – Rydal Manor, Kirby Lane LE14 2TS – Construction of nine dwellings. **Permitted**

15/00593/OUT – Land at south of Hill Top Farm, St Bartholomew's Way – Outline application for 30 dwellings. **Permitted**

### **Planning Policies:-**

#### **Melton Local Plan 2011-2036**

**The Local Plan was adopted on 10th October 2018 and forms the Development Plan for the area. Under 38(6) planning decisions must follow the policies of the of the Plan unless material considerations indicate otherwise**

Policy SS1 sets out a presumption in favour of sustainable development

Policy SS2 seeks to restrict new development

Policy SS5 details the policy requirements for the successful delivery of the Northern Sustainable Neighbourhood

Policy SS4 details the policy requirements for the successful delivery of the Southern Sustainable Neighbourhood

Policy C1(A) lists the housing allocation sites within the town, service centres and rural hubs with their approximate capacities in terms of the numbers of dwellings.

Policy C1(B) lists the allocated reserve housing sites within the town and service centres.

Policy IN1 details how the Council will work with Leicestershire County Council and others to deliver a transport strategy for Melton Mowbray. **The MMDR is a key part of this policy.**

Policy EN1 seeks to protect and enhance the Borough's landscape and countryside by ensuring new development is sensitive to its landscape setting, enhances distinctive qualities of the landscape and requiring new development to respect existing landscape character and features.

Policy EN2 details the requirements for biodiversity and geodiversity, and seeks to achieve net gains for nature and proactively seek habitat creation as part of new development proposals.

Policy EN3 sets out the strategic approach to the Melton Green Infrastructure Network

Policy EN8 deals with climate change, setting out the how new developments will be required to demonstrate the need to mitigate and adapt.

Policy EN11 seeks to minimise the risk of flooding and sets out to ensure that development proposals do not increase flood risk, and reduce flood risk to others.

Policy EN12 states that for major developments proposals should demonstrate through a surface water strategy that properties will not be at risk from surface water flooding allowing for climate change effects

Policy EN13 states that the Council will take a positive approach to the conservation of heritage assets and the wider historic environment, and sets out how it will do this.

### **Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan**

Policy S1 sets out the limits to development which are identified within the Plan. **Outside the limits development is strictly control but the MMDR is specifically cited as an exception.**

Policy ENV4 seeks to protect other sites of environmental (natural or historical) significance

Policy ENV11 identifies ridge and furrow fields which it states are non designated heritage assets. Harm to these needs to be balanced against the benefits having regard to the scale of harm and the significance of the affected heritage assets.

### **National Planning Policy Framework (NPPF)**

The revised NPPF was published on 24<sup>th</sup> July 2018.

Plans and decisions should apply a presumption in favour of sustainable development. For decision taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

Other relevant policies in the NPPF relevant to this application include:

### **Building a strong, competitive economy**

Paragraph 81 states that ‘Planning policies should...seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment’

**Promoting sustainable transport**

Paragraph 102 states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

**Leicestershire Local Transport Plan 3 2011-2026**

The Leicestershire Local Transport Plan 3 Strategy was published in 2011, with Implementation Plans published for each 3 year period. The first Implementation Plan was published for the period 2011-2014, with the second published for 2014-2017. The third Implementation Plan is not yet available. The LTP3 covers the county of Leicestershire, including the City of Leicester and seven districts and boroughs. The LTP Strategy recognises that a number of county towns experience ‘appreciable congestion’ with Melton Mowbray being one of the four towns mentioned.

The LTP3 Strategy provides objectives to improve air quality such as encouraging active and sustainable travel and managing the movement of freight and tackling congestion. The County has set a quality of life indicator (KP17) to reduce total CO2 emissions from road transport within the area.

The LTP3 focuses on the delivery of transport schemes that will facilitate growth and one of the long term priorities of LTP3 is to support the economy and population growth through ‘more consistent, predictable and reliable journey times for peoples and goods’ (LTP3 Second Implementation Plan, para 1.24). The LTP3 Second Implementation Plan includes actions to take forward work to identify and cost a preferred scheme to address transport problems in Melton Mowbray.

**Planning (Listed Buildings and Conservation Areas) Act 1990**

The site area incorporates the setting of a listed building, and the setting of a Scheduled Monument. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. In this context, the objective of preservation is to cause no harm and is a matter of paramount concern in the planning process.

**Material Considerations:-**

Material Consideration	Assessment of Assistant Director of Planning and Regulatory Services
<p><b>The Proposed Route</b></p> <p>In September and October 2017 the County Council sought views on the recommended route for the Distributor Road to relieve congestion in Melton Mowbray, and to support plans for housing and</p>	<p>Congestion in the centre of Melton Mowbray has been a longstanding issue recognised by both Melton Borough Council and Leicestershire County Council, and can be dated back to the late 1990’s and early</p>

<p>employment growth in the town. The aim of the scheme is to improve access to potential housing and employment, reduce congestion on the town, improve access to the town centre, and reduce the number of HGVs travelling through the town centre.</p> <p>A report which detailed the final recommended route along with results of the consultation was presented to and approved by the County Council's cabinet in December 2017. Following this, the Outline Business Case was submitted to the Department for Transport in late December 2017, to seek funding for the scheme.</p> <p>Further design work, surveys and engagement with landowners has continued, and the route has been further refined, taking into account feedback received during the consultation. This has sought to minimise the impact on the environment, local landowners and residents, and ensure that it best supports future development and growth.</p> <p>The MMDR is a 6.9km, single carriageway road that extends from the A606 Nottingham Road at the north-western edge of the town to the A606 Burton Road in the south, crossing Scalford Road, Melton Spinney Road, A607 Thorpe Road and B676 Saxby Road to Burton Road. The scheme will create new junctions with roundabouts on its route and provide crossings over the railway line and the River Eye.</p> <p>Walking and cycling facilities are to be provided alongside the carriageway for the full extent of the route.</p>	<p>2000's through successive Local Transport Plans. The issue has become increasingly pronounced and is likely to be exacerbated further, both in terms of recent trends in traffic growth, and in the light of the significant levels of growth planned for the town in the adopted Local Plan.</p> <p>Melton Mowbray has a number of existing issues in terms of transport:</p> <ol style="list-style-type: none"> <li>1. Highly significant levels of congestion at numerous points in the town centre and along key approach routes to the town centre. The extent of congestion is right across the town and covers all cross town routes. Congestion arises due to the extent of through traffic, intra-town traffic and traffic with destinations in Melton Mowbray itself.</li> <li>2. Town centre junction delays, with market days presenting a particular problem. Many vehicles have to pass through several congested junctions to reach or cross the town centre, making the overall level of delay significant.</li> <li>3. High levels of through traffic, with the largest concentration of through traffic movement along the A606 axis, constituting more than 40% of total traffic along that route. LGV and HGV proportions of through traffic are higher still, constituting between 50-90% of through traffic.</li> <li>4. HGV movements through the town centre caused by both the industrial estate to the east of the town centre, and the significant number of HGV and LGV movements with non-Melton Mowbray destinations. This creates issues in the town centre, including safety, noise and air quality problems.</li> </ol> <p>The MMDR scheme has been developed as the best performing option to overcome existing traffic congestion and related problems, and tackle future traffic issues to enable the town's future growth. The scheme has been developed from an evidence and objective-led pioneering process, assessing a range of options across modes, and different scales and route(s) of highway intervention in coming to the final preferred scheme.</p> <p>Testing of a range of strategic highways options demonstrated that an Eastern Distributor Road was clearly the preferred option for solving congestion in the town and for accelerating housing delivery and economic growth.</p> <p><b>The Council is satisfied that the evidence presented within the Outline Business Case and that which supports this planning application in respect of the route of the north and east MMDR is robust, and the north and eastern route should be supported.</b></p>
<p><b>Transport &amp; Highways</b></p>	

<p>A full Transport Assessment (TA) has been submitted to accompany the planning application which provides an in-depth analysis of the impacts of the scheme on the highway network.</p> <p>The TA will be reviewed by the Local Highway Authority who will provide formal comments to the Case Officer. These comments will be taken in to consideration in the determination of the planning application.</p>	<p>It is noted that the evidence suggests that if the MMDR is not built, Melton Mowbray will continue to have high levels of through traffic which has a detrimental impact upon residents and the attractiveness of the town to visitors. Congestion in the town has continued to worsen despite previous investment in highway improvements. In recent years the lack of capacity of the network has become a significant constraint on the town's ability to grow.</p> <p>The evidence suggests that the MMDR will significantly reduce traffic in Melton Mowbray town centre, reducing traffic by approximately 18.6% in town centre locations. The largest reductions in traffic will be seen along A607 Thorpe Road (40%) and A606 Burton Street / Burton Road / A606 Thorpe End (25%).</p> <p><b>It is considered that the scheme will significantly reduce traffic in Melton Mowbray town centre, and in doing so, will facilitate improvements to more sustainable modes of transport in the town. The scheme is explicitly supported by the Local Plan Policy IN1 and is considered to be compliant with the NPPF policies on transport – paragraphs 102, 108, 109 and 110.</b></p>
<p><b>Flood Risk, Drainage and Watercourses</b></p> <p>A Flood Risk Assessment (FRA) has been submitted in support of the planning application which will be reviewed in due course by the Environment Agency and the Lead Local Flood Authority. Their consultation responses will be reported to the Case Officer at Leicestershire County Council and will be taken into consideration in the determination of the planning application.</p>	<p>A Flood Risk Assessment submitted with the planning application has been developed iteratively with the Environment Agency and the Lead Local Flood Authority. The route has been selected to avoid passing through the Flood Storage Area south of the railway line to avoid negative impacts in this area, with the alignment of the road influenced by the aim to avoid areas of high flood risk. Bridges and culverts have also been designed to ensure that hardstanding does not increase flood risk at properties.</p> <p>There will be a bridge over the River Eye which will have a 55 metre open span structure to allow flood flows to pass underneath. Whilst this has created a reasonably large structure, there is also now the opportunity to create a non-motorised user route under the bridge. The proposed scheme was developed in full consultation with the Environment Agency to deliver the best option environmentally, considering flood risk, ecology, landscape and sustainable transport modes.</p> <p>The largest watercourse in the study area is the River Eye which is a main river, flowing approximately in a westerly direction from the east of Melton Mowbray. The River Eye in the vicinity of the proposed development is a SSSI for which Natural England published Strategic Restoration Plan in 2015.</p> <p>The proposals plan to divert the river further south of</p>

	<p>its current position. Whilst this will result in adverse impacts in the short term, in the longer term the diversion will result in a longer, more naturalised channel. The former channel will be retained as wetland habitat. Alongside the creation of the new channel to the south, this will create a wider wetland area than currently exists, supporting biodiversity improvements and natural flood management.</p> <p><b>It is considered that the development complies with Local Plan policies EN11 and EN12 as the scheme has been located in the areas of lowest flood risk in the route corridor, and will not adversely affect flood risk at properties. It also incorporates a surface Water Drainage Plan to manage surface water appropriately and sustainably.</b></p>
<p><b>Ecology</b></p> <p>A full Ecological Impact Assessment has been carried out and is presented in Chapter 9 of the Environmental Statement. A full suite of ecological surveys have been undertaken and the results are presented in Chapter 8 of the Environmental Statement.</p> <p>The relevant chapters of the ES will be reviewed by both Natural England and the County Council’s Ecology Department and Natural England. Their consultation responses will be reported to the Case Officer at Leicestershire County Council and will be taken into consideration in the determination of the planning application.</p>	<p>The scheme has been informed by ecological considerations throughout the design process, with iterative amendments made to introduce ecological enhancements and mitigation measures to reduce any adverse impacts.</p> <p>There are no internationally designated sites within 2km of the proposed scheme. Furthermore, there are no international sites specifically designed for bats located within 30km of the proposal, no ancient woodlands within 2km of the scheme and no Natural Improvement Area or Living Landscape area within or close to the site.</p> <p>The River Eye will be diverted further to the south, which will re-establish the river closer to its historic alignment. This will be undertaken alongside substantial restoration and enhancement for the wider River Eye to deliver effective mitigation in the form of restorations. The proposals would create a wider wetland area than currently exists, supporting net gains in biodiversity. It can deliver significant restoration of the River Eye along what is currently a degraded reach with poor flow conditions, lack of morphological diversity and excess bed sedimentation.</p> <p>There are seven Local Wildlife Sites (LWS) within 1km of the scheme. Melton Country park LWS is located approximately 70 metres south of the proposed red line, but is 275 metres from the road alignment. The proposed MMDR crosses the Scalford Brook and disused railway embankment, which are ecologically and hydraulically connected to the LWS. The road alignment has been moved further north to increase the separation distance between the road and the County Park with the nearest parts of the scheme to the Country Park being proposed balancing ponds rather than the road. The mitigation measures proposed in the Construction Environment Management Plan (CEMP) predict the impact on the LWS to be neutral. Impacts on the other LWSs within</p>

	<p>1km of the scheme are predicted to be either neutral or not impacted.</p> <p>Where possible, the scheme has been designed to achieve no net loss of biodiversity and to deliver net gains wherever possible. The Council is content that the scheme has been informed by ecological considerations throughout the design process, with iterative amendments made to introduce enhancements and reduce any adverse impacts. The applicants have advised that this will continue through preparation of the CEMP to minimise impacts on species and habitats during construction. The scheme is proposed to have a positive effect on the River Eye SSSI, and new planting could have significant positive impacts on grassland, species-poor hedgerow and woodland habitats in the medium-long term. Impacts on other species are predicted to be non-significant.</p> <p><b>Overall, it is anticipated that the scheme can be fully mitigated within the red line boundary to deliver no net loss of biodiversity and net gains in some areas, complying with policies in the NPPF, the Local Plan and Neighbourhood Plan.</b></p>
<p><b>Heritage</b></p> <p>A full assessment of the impact of the scheme on Heritage is presented in Chapter 6 of the ES.</p> <p>The relevant chapters of the ES will be reviewed by both Historic England and the County Council's Historic Environment Department. Their consultation responses will be reported to the Case Officer at Leicestershire County Council and will be taken into consideration in the determination of the planning application.</p>	<p>There are no Conservation Areas in or adjacent to the site. Given the separation distances, the scheme is not expected to affect the Conservation Area of Melton Mowbray or Freeby.</p> <p>Two built heritage assets were identified in the ES; Grade II listed Sysonby Lodge, and the non designated Sysonby Farm. The scheme will not directly affect the listed building, although there will be some impact on its setting from light and noise. This impact is predicted to be 'slight'. Sysonby Farm would be demolished, however historic building recording will be undertaken to Historic England Level 2 standards to preserve the building by record.</p> <p>The scheme is located to the north/north-west of the Scheduled Monument (SM) St Mary and St Lazarus Hospital, moated site and two fishponds, Burton Lazars. The scheme is expected to have a 'slight' adverse impact on the SM during construction and operation by virtue of the lights and signage.</p> <p><b>Overall, given the size of the scheme, the impacts on heritage assets are very limited. There are no CA's near the scheme and only one listed building is considered to be affected; the affect only being 'slight' upon its setting. No SM's will be directly affected and the impact of this proposal upon the SM at Burton Lazars is expected to be no more than 'slight'. The scheme is therefore considered to meet the objectives of the relevant planning policies supporting protection and enhancement of heritage assets in the NPPF, Local Plan and Neighbourhood</b></p>

	<b>Plan.</b>
<p><b>Landscape and Visual Impact</b></p> <p>A full landscape and visual impact assessment (LVIA) has been completed</p> <p>The relevant chapter of the ES will be reviewed and assessed. Any consultation responses will be reported to the Case Officer at Leicestershire County Council and will be taken into consideration in the determination of the planning application.</p>	<p>The site itself does not lie within any area designated in terms of specific natural statutory landscape designation.</p> <p>Melton Country Park is located approximately 275 metres from the proposed road alignment. The Park does not have a landscape designation, but is valued for its landscape and visual characteristics.</p> <p>Policy SS5 of the Local Plan states that the development of the North Sustainable Neighbourhood (of which part of the MMDR passes) should establish a protection zone between the Park and any future development. Following consultation responses received, the road alignment has been moved north from the early alignment iterations of the draft Local Plan, increasing the separation distance between the road and the Country Park to 275 metres. The red line boundary of the application extends significantly further south than the road alignment to enable delivery of a balancing pond and enable construction access. Landscaping has also been proposed at this location to reduce the visual impact of the balancing pond on the Country Park. The red line boundary does not encroach into the area owned by the Country Park.</p> <p><b>The scheme is considered to comply with policy SS5 to protect the Country Park.</b></p> <p>The Landscape Masterplan aims to integrate and assimilate the proposed development into the surrounding landscape, delivering landscape improvements where possible. Boundaries of hedges with hedgerow trees have been introduced that are characteristic of the local landscape character and are considered to reinforce it within the landscape. Wildflower planting is proposed in the road cuttings, providing low maintenance, ecologically diverse and visually attractive landscaping, more attractive than rough grassland. Planting is also proposed to screen embankments at their base. For embankments which are under 2 metres in height, this is achieved through the introduction of hedges, whereas woodland is used to screen or enhance views towards embankments over 2 metres high. Woodland will be mature and provide long term screening of vehicles and traffic on the road itself. Screening has been concentrated around sensitive locations such as Thorpe Arnold, Melton Country Park and Twinlakes.</p> <p><b>The parts of the development near to the Country Park are low lying and designed to ensure that they do not adversely affect the Park. The scheme is considered to comply fully with policy SS5 of the Melton Local Plan. In addition, the impact of the road on views considered to be ‘important’ within</b></p>



	<p><b>the Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan has been reduced through maximising separations distances and introducing sensitive, attractive, natural landscaping features to screen the development and deliver net gains where possible. The scheme is considered to be broadly compliant with planning policies on landscape and visual impacts, with minor conflicts in terms of the impact on Important Views outweighed by the benefits of the scheme.</b></p>
<p><b>Connectivity &amp; Transport Assessment</b></p> <p>The scheme will create a new 3 metre shared footway / cycleway for the length of the new road, creating a 7.1km long shared way around Melton Mowbray, on the side of the MMDR nearest to the town. At the roundabouts, safe crossing will be enabled by uncontrolled splitter islands for cyclists. Where a bridleway crosses the route, separate crossings for horses will be provided a suitable distance from the roundabouts. A full description of the connectivity proposed at each roundabout is detailed within the planning application, and can be seen in the accompanying plans.</p> <p>A full Transport Assessment was submitted in support of the planning application which will be reviewed and scrutinised by the Local Highway Authority, who will also review the designs of the proposal to ensure that they meet the relevant standards and are safe. They will report back to the Case Officer, and their comments will be taken into consideration in the determination of the planning application.</p>	<p>In terms of connectivity, the new footway / cycle way will increase pedestrian accessibility of the Jubilee Way, which runs from the Viking Way at Woolsthorpe south through Melton Mowbray to Leicestershire Round at Burrough Country Park. The scheme will connect National Cycle Route 64 to the shared cycle way/footway near roundabout 3. The new shared way will provide an additional link from National Cycle Route 64 to Melton Country Park; a detour already recommended on the Sustans website.</p> <p>The full length of Sawgate Road to the east of roundabout 6 to Lag Lane (approximately 180m south of Thorpe Arnold) will be closed to traffic, except for access and non-motorised users (NMU). This will create a new, attractive, off road NMU route stretching 2.6km along Lag Lane from Thorpe Arnold to Burton Lazars, with one road crossing at roundabout 5. When combined with e new shared way along the MMDR, this will create an off-road cycle route between Burton Lazars, Thorpe Arnold, Twinlakes and Melton Country Park.</p> <p>A number of footpaths will be diverted by the scheme, however none are proposed to be extinguished. These are described in full in the Supporting Statement at paragraph 6.7.6.</p> <p><b>At present there are a limited number of dedicated routes for walkers and cyclists in the centre of Melton Mowbray, with particular issues for pedestrian severance crossing the Norman Way, Nottingham Road and Leicester Road junctions. The opportunity to remove traffic from the town centre, and associated key junctions, could improve pedestrian safety and encourage more walking and cycling. Overall, the scheme will significantly increase the length of NMU routs in the area. The proposed scheme is considered to meet the objectives of policies C9 (Healthy Communities), IN2 (Transport, Accessibility and Parkin) and t2 of SS5 of the Local Plan in respect of sustainable travel.</b></p>
<p><b>Ground Conditions</b></p> <p>Ground condition investigations have been undertaken</p>	<p><b>Overall, the site does not pass through a Coal</b></p>

<p>by the applicant and their team to evaluate the nature, geotechnical and geo-environmental properties of the underlying ground conditions.</p> <p>This information is presented in full within Chapter 9 of the ES which will be reviewed by the relevant consultees. Their response will be taken into consideration by the Case Officer in the determination of the planning application.</p>	<p><b>Authority Development High Risk Area and there is very little contamination on site.</b></p> <p><b>The majority of the scheme is located on agricultural land and there will be a loss of agricultural land as part of the scheme development. However, the majority of the land lost will not be Best and Most Versatile Agricultural land, and the loss of this land is considered to have a negligible impact.</b></p>
<p><b>Air Quality</b></p> <p>Full investigations of existing air quality and modelled future air quality are included within the submitted ES, and will be reviewed by the relevant consultees who will analyse the information submitted. Their response(s) will be taken into consideration by the Case Officer in the determination of the planning application.</p>	<p>Within Melton Borough, the main source of concern for air quality is road traffic. In 2016, seven receptors in Melton Mowbray showed an exceedance of NO<sub>2</sub>, with air pollution levels at a level considered harmful to human health.</p> <p>With the scheme going ahead, medium to large improvements in air quality for NO<sub>2</sub> are predicted where the concentration would be exceeded without the scheme.</p> <p><b>The scheme will improve air quality in Melton Mowbray town centre, including reducing levels of NO<sub>2</sub> from those considered harmful to health, and will have a significant impact in terms of air quality.</b></p>
<p><b>Noise &amp; Vibration</b></p> <p>A full assessment of the impact of the scheme on noise and vibration levels during construction and operation has been undertaken by the application, and is presented in Chapter 11 of the ES.</p> <p>This information will be reviewed by the relevant consultee, and their response will be taken into consideration by the Case Officer in the determination of the planning application.</p>	<p><b>The scheme will result in a significant reduction in traffic in the centre of Melton Mowbray which will also reduce noise levels in the town. Whilst there will be increases in noise levels at properties close to the alignment of the MMDR, the final noise levels are considered to be generally low. Noise barriers are proposed, and careful design will reduce the impacts during operation. The CEMP will outline measures to reduce noise impacts during construction.</b></p> <p><b>Impacts in terms of vibration will be largely limited to the construction period and will be limited in extent and duration.</b></p>

### Policy Analysis

Consideration	Assessment of Assistant Director of Planning and Regulatory Services
<p><b>Policy SS1 - Presumption in favour of Sustainable Development</b></p> <p>When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly</p>	<p><b>Overall, Melton Borough Council is of the opinion that the proposal accords with the policies in the Local Plan for the reasons as set out in this report.</b></p> <p><b>As such, the Council suggests that the application</b></p>

<p>to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.</p>	<p><b>should be approved without delay.</b></p>
<p><b>Policy SS2 – Development Strategy</b></p> <p>Provision will be made for the development of at least 6,125 homes and some 51 hectares of employment land between 2011 and 2036 in Melton Borough.</p> <p>Over half of the Borough’s housing needs of the Local Plan period are expected to be met through housing delivered at the Northern Sustainable Neighbourhood and the Southern Sustainable Neighbourhood; two strategic allocations to the north and south of Melton Mowbray providing 1500 and 1700 homes respectively by 2036. The supporting text at paragraph 4.3.5 states that:</p> <p><i>“The Melton Mowbray Transport Studies have made clear that for the town to grow sustainably there will be a need for strategic investment in the highway network that improves the north / south connectivity. The transport evidence has appraised options to address traffic congestion within the town and has concluded that an outer distributor road is the best long-term deliverable solution.”</i></p>	<p>Based on the evidence collected over the past 2-4 years, the MMDR represents the most beneficial strategic transport intervention in the highway network. The Council is satisfied from the evidence that this option will address the significant traffic congestion in the town and is the best long-term deliverable solution. The MMDR will allow the development of a significant amount of homes and jobs as promoted within the adopted Local Plan.</p> <p>It is considered that the Northern and Eastern MMDR proposed in this application meets the objectives in the Development, and that the Council should support its approval.</p>
<p><b>Policy SS5 – Northern Sustainable Neighbourhood</b></p> <p>Melton Borough Council will work in partnership with developers and delivery partners to deliver the Melton North Sustainable Neighbourhood (MNSN) identified as a strategic development location on the Policies Map. The policy states that the MNSN will provide 1500 houses by 2036 (1700 in total), extra care housing, small-scale employment uses, a new primary school and a local centre. On transport the policy states that the MNSN will deliver a comprehensive package informed by a transport assessment including:</p> <p><i>“A: A strategic road link connecting A606 Nottingham Road to Melton Spinney Road forming part of the Melton Mowbray Distributor Road as part of a wider agreed scheme”</i></p> <p>The policy also states that the MNSN should include measures to reduce reliance on the private car including a frequent bus service into Melton Mowbray town centre, measures to encourage walking and cycling and a travel plan. It also states that the MNSN will provide (with reference to the N&amp;E MMDR):</p> <p><i>en1: Protection to the separate identities of Scalford and Thorpe Arnold in accordance with Policy EN4 and respond to settlement fringe sensitivity in accordance with Policy EN1 to create a locally distinctive development and an improved town edge;</i></p>	<p>The delivery of the Northern and Eastern MMDR is a key part of the infrastructure required to deliver the Northern Sustainable Neighbourhood; some 1500 homes by 2036.</p> <p>Based on the information submitted in support of the planning application, it is considered that the route proposed meets the objectives for the northern sustainable neighbourhood – that being a link road connecting the A606 Nottingham Road to the Melton Spinney Road as part of a wider MMDR scheme.</p> <p>Developers bringing forward housing sites that form part of the Northern Sustainable Neighbourhood will be required to ensure the sites are designed to incorporate further measures to reduce reliance upon the private car, and the connectivity proposed by the MMDR will help this (in regards to pedestrian and cycle routes).</p> <p>As described above, the planning application has been submitted with substantial detail within the Environmental Statement which evidences the impacts of the proposal on Thorpe Arnold in particular, in addition to historic assets and their settings. The Council is satisfied with the assessment made of the impacts of the MMDR, and the suggested mitigation</p>

<p><i>en2: Protection and enhancement of historic assets and their settings;</i>  <i>en3: Seek to retain and mitigate any potential harm to notable areas identified in the biodiversity study, in accordance with policy EN2, including:</i></p> <ul style="list-style-type: none"> <li>a) Protection and enhancement to the existing green infrastructure, local wildlife sites, wildlife corridors and, where appropriate, provide new corridors to create a coherent network of biodiversity and green infrastructure, providing links from existing green infrastructure to the countryside, specifically Melton Country Park, Scalford Brook and Welby Brook and the disused railway line;</li> <li>b) Establish a protection zone between Melton Country Park and any future development. Development should respond to the local topography and utilise it to define the protection zone. This should also include the provision of an undeveloped area of land between part of the existing northern boundary of the park and the proposed distributor road;</li> <li>c) Establish a protection zone between area of high ecological importance identified around Scalford Brook in the biodiversity study and any future development;...'</li> <li>d)</li> </ul> <p><i>en8: development that provides appropriate SuDS and flood alleviation measures in accordance with the Melton North assessment in the Strategic Flood Risk Assessment. Areas of the MSSN that are at a higher risk of flooding shall not be used for built development, and;</i>  <i>en9: Protection and enhancement of water quality.</i></p>	<p>in terms of landscaping, biodiversity enhancements and mitigation. In addition, the flood alleviation measures and proposed Sustainable Urban Drainage, such as the balancing ponds.</p> <p><b>Therefore, the Council is of the opinion that the proposal meets the objectives of policies en1, en2, en3, en8 and en9 of Policy SS5.</b></p>
<p><b>Policy SS4 – Southern Sustainable Neighbourhood</b></p> <p>Policy SS4 allocated 120 hectares of land for the creation of the SSN, an allocation located to the south of Melton Mowbray between the A606 Burton Road, and the A607 Leicester Road. The SSSN is predominantly allocated for housing, delivering 1700 homes by 2036, alongside 20 hectares of employment land at the western end of the SSN adjoining the existing Leicester Road Business Park, extra care housing, a new primary school and a local centre. The SSN is directly to the west of the A606 Burton Road end of the N&amp;E MMDR.</p> <p>On transport, policy SS4 states that the SSN will deliver a comprehensive package of transport improvements, informed by an appropriate transport assessment including:</p> <p><i>A: A strategic road link connecting the A606 to the A607 forming part of the Melton Mowbray Distributor Road as part of a wider agreed scheme.'</i></p>	<p>Whilst the delivery of the northern and eastern MMDR will not provide the southern link road that will be required to be delivered to form the Southern Sustainable Neighbourhood, it will deliver a new roundabout at Burton Road which will provide direct access into a potential first 'phase' of the neighbourhood.</p> <p>The delivery of roundabout 6 of the MMDR on Burton Road will potentially accelerate the delivery of the southern Sustainable Neighbourhood, and therefore should be supported in policy terms. The transport impacts of the scheme as submitted will likely benefit future occupiers of homes in the south of the town due to the enhanced connectivity with the north.</p>
<p><u>Other Housing Allocations in Melton Mowbray</u></p>	

<p>Policy C1(A): Housing Allocation allocates ten sites (MEL1-10) for housing in Melton Mowbray in addition to the Sustainable Neighbourhoods. Together these sites are expected to deliver almost 500 dwellings over the Plan period.</p> <p>Policy C1(B) also allocates a number of reserve housing sites, including Snow Hill (MEL11) in Melton Mowbray, which is expected to be capable of delivering around 240 dwellings.</p>	<p>Noted. Additional developments coming forward within and close to the town will no doubt benefit from the proposed MMDR and the relief that it will bring to town centre congestion.</p>
<p><b>Melton Mowbray Distributor Road</b></p> <p><b>Policy IN1: Melton Mowbray Transport Strategy (MMTS)</b>  The Borough Council will work with Leicestershire County Council, landowners, developers and others to deliver a transport strategy for Melton Mowbray. The MMTS will comprise the following key components, to be funded and delivered by private developers and the public sector:</p> <ul style="list-style-type: none"> <li>(a) A Melton Mowbray Distributor Road (MMDR) from the A606 Nottingham Road to the A607 Leicester Road around the east of the town, in accordance with the broad design standards and requirements outlined in paragraph 8.3.17, for which a ‘corridor of investigation’ is shown on the Policies Map; and</li> <li>(b) A package of complementary measures, including enhanced pedestrian, cycling and public transport facilities and access to the town centre and the other main local journey attractors from the southern and northern urban extensions.</li> </ul> <p>If development is proposed within the corridor shown in the Policies Map, it may be permitted provided that it has been demonstrated to the satisfaction of the Local Highway Authority that it would not prejudice the ability to deliver the MMDR as a whole. Where necessary, the Council and/or the Local Highway Authority will use its compulsory purchase powers to deliver sections(s) of the MMDR. Where a transport assessment indicates that development will add to the cumulative traffic and other transport problems of Melton Mowbray, a financial or in kind contribution will be sought towards delivery of the wider MMTS, including appropriate mitigation necessary to reduce local traffic impacts whilst the MMDR is incomplete.</p> <p>The Borough Council will also work with other bodies to explore the opportunities to enhance the public realm in and around Melton Mowbray town centre arising from the development of the Strategy. Paragraph 8.3.16 states that:</p>	<p>The delivery of the N&amp;E MMDR is central to the delivery of the Local Plan in terms of its vision, strategic objectives, housing and employment delivery. The Local Plan show a proposed distributor road running around Melton Mowbray from the A606 Nottingham Road to the A607 Leicester Road, including the route of the N&amp;E MMDR and the southern section of the MMDR that does not form part of this application.</p> <p>Chapter 8 of the Plan states that it recognises that new highway infrastructure is essential to facilitate growth and alleviate congestion in Melton Mowbray and that the MMDR is a crucial element of this strategy.</p> <p><b>In the opinion of Melton Borough Council, the proposed northern and eastern MMDR fully meets the requirements of Policy IN1(a) of the adopted Local Plan. The road has been designed as per the policy requirements of IN1 as described in the adjacent column.</b></p> <p>The Melton Mowbray Transport Strategy (MMTS) is currently being worked on further and it will include further measures to enhance pedestrian and cycling facilities in addition to those created by the new road. Public transport facilities and access to the town centre form a central part of the development of the MMTS going forward.</p> <p>In terms of funding for the northern and eastern MMDR, Melton Borough Council and Leicestershire County Council have been successful in securing almost £50m of central Government Funding. The remaining money will be contributed by Melton Borough Council and Leicestershire County Council, and recuperated through S106 or CIL payments from developers in and around the town.</p>

<p><i>“In terms of its overall design standard [the MMDR will]:</i></p> <ul style="list-style-type: none"> <li>• <i>Be a single carriageway all purpose ‘A’ road;</i></li> <li>• <i>Have a minimum carriageway width of 7.3m;</i></li> <li>• <i>The sections of MMDR adjacent to the Melton North Sustainable Neighbourhood (NSN) and Melton South Sustainable Neighbourhood (SSN) will have a design speed of at least 40mph, whereas the remaining sections of the road (i.e. away from developments ) will have a design speed of 60mph;</i></li> <li>• <i>The number of junctions and direct frontage accesses will be limited as necessary to secure and retain the required design standards and speeds (as set out above);</i></li> <li>• <i>Include appropriate facilities to provide for the safe movement of pedestrians, cyclists (and, as appropriate, horse riders); and include measures to minimise/mitigate the scheme’s impacts on existing and future residents and on the environment and ecology along its route”</i></li> </ul>	
<p><b>Policy EN1 – Landscape</b></p> <p>The character of Melton Borough’s landscape and countryside will be conserved where possible enhanced by ensuring new development is sensitive to its landscape setting, respected existing landscape character and features and does not have an unacceptable adverse impact on an area’s sense of place and tranquillity (including those benefiting from dark skies).</p>	<p>The Council is satisfied with the landscape mitigation and enhancements put forward by the applicant to mitigate the impact of the proposal on the landscape, and agrees that the proposal does not have an unacceptable adverse impact on the area.</p>
<p><b>Policy EN2 – Biodiversity and Geodiversity</b></p> <p>The Borough Council will seek to achieve net gains for nature and proactively seek habitat creation as part of new development proposals. The Council will support proposals that, amongst other aims, protect, extend or strengthen the Borough’s most ecologically sensitive area, including the River Wreake Valley, contribute to the provision of coherent wildlife networks, create new habitat, re-naturalise rivers and streams provided they do not harm nationally important sites, Local Wildlife Sites, river corridors, biodiversity and geo-diversity designations and priority habitats and species.</p>	<p>As described above, the planning application has been submitted with substantial detail within the Environmental Statement which evidences the impacts of the proposal on the natural environment, the biodiversity and geodiversity of the area, in particular with regards to the Country Park and the River Eye SSSI.</p> <p>The Council is satisfied with the assessment made of the impacts of the MMDR, and the suggested mitigation in terms of biodiversity enhancements and mitigation, creation of new habitat and the diversion of the river. As such, the Council is satisfied that the proposal meets the objectives of Policy EN2.</p>
<p><b>Policy EN3 – The Melton Green Infrastructure Network</b></p> <p>New development proposals will be supported where they retain and enhance important green infrastructure proposals such as watercourse, access routes and areas of geological and archaeological interest.</p>	<p>The supporting information submitted alongside the planning application clearly demonstrates that where possible important green infrastructure, such as the Country Park and the River Eye, have been taken into</p>

	<p>account, and where possible they have been retained and enhanced. In addition, the proposal has created new access routes and will improve the green infrastructure in the area surrounding the development.</p> <p>The Council is therefore satisfied that the proposal meets the objectives of Policy EN3.</p>
<p><b>Policy EN8 – Climate Change</b></p> <p>All new development proposals will be required to demonstrate how the need to mitigate and adapt to climate change has been considered in terms of actions such as provision of green infrastructure, flood risk and providing opportunities for sustainable modes of transport in accordance with Policy IN1. It also supports proposals that encourage and support renewable and low carbon energy sources, including provision of charging points for electric cars.</p>	<p>Whilst the proposal submitted is for a new road, this is evidenced on the basis of reducing significantly the amount of HGV and LGV traffic moving through the centre of Melton Mowbray. The reduction in these types of vehicles in the town will form the basis of the MMTS going forwards, which will have an emphasis upon encouraging and supporting more sustainable modes of transport.</p> <p>In addition, the MMDR has been designed with a 3 metre wide cycle and pedestrian footway for its entire length to encourage more sustainable modes of travel. The MMDR has been designed to take into consideration flood risk and also makes provision of green infrastructure. As such, the Council is of the opinion that, so far as is possible, the proposal meets the requirements of Policy EN8.</p>
<p><b>Policy EN11 – Minimising the Risk of Flooding and Policy EN12 – Sustainable Drainage Systems</b></p> <p>The Council will ensure that development proposals do not increase flood risk and will seek to reduce flood risk to others. Proposals should demonstrate through a surface water drainage strategy that properties will not be at risk from surface water flooding allowing for climate change effects.</p>	<p>The application has been submitted with significant evidence and supporting information taking into consideration flood risk and mitigation. Balancing ponds are designed into the scheme to mitigate the impact of the proposal. The Council is satisfied that the proposal meets the requirements of Policies EN11 and EN12.</p>
<p><b>Policy EN13- Heritage Assets</b></p> <p>Proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting; make a positive contribution to the character and distinctiveness of the local area and taking account of any local heritage assets listed in Neighbourhood Plans.</p>	<p><b>As described above, the proposal will have a slight impact upon the setting of a Grade II listed building, and a Scheduled Monument (SM).</b></p> <p><b>The Council is of the opinion that the benefits of the proposal, significantly outweigh the slight harm identified to these two heritage assets, and as such the proposal meets the objectives of Policy EN13.</b></p>
<p><b>Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan (WoW&amp;TA)</b></p> <p><b>Policy S1: Limits to Development</b></p> <p>Development proposals within the NP area will be supported on sites within the Limits to development as identified within the Plan where they comply with the policies of this NP and subject to design and amenity considerations. Land outside the defined Limits to Development will be treated as open countryside,</p>	<p>The WoW&amp;TA NP policy SS1 is supportive of development in association with the infrastructure requirements for the MMDR.</p> <p>Thorpe Brook is classified as an ‘Other Site of Environmental Significance’ is crossed by the MMDR</p>

<p>where development will be carefully controlled in line with local and national strategic planning policies. Exceptions will be development essential to the operational requirements of agriculture and forestry; small-scale development for employment, recreation and tourism; development of a site allocated the Local Plan in accordance with the Local Plan aspirations for that site, where reasonably required for the delivery of housing; <b>and any infrastructure requirements in relation to the Melton Mowbray Eastern Distributor Road.</b></p> <p>Policy ENV4 designates two ‘Other Sites of Environmental (natural or historic) Significance’ near the MMDR, including a large site to the south west of Thorpe Arnold and a site that follows the route of Thorpe Brook to the east/north of Thorpe Arnold and north to the east of Twin Lakes.</p> <p>Policy ENV11 identifies three areas of ridge and furrow around Thorpe Arnold. The red line boundary includes a very small area adjacent to the A607 in the ‘well preserved’ area and a similarly small area of the ‘faint, partly ploughed out’ area to the north of the A607. The majority of these areas will be unaffected.</p>	<p>between roundabouts 3 and 4 (Melton Spinney Road and A607 Thorpe Road). Mitigation measures during the construction and sensitive bridge design aim to reduce the impact of the scheme on the Brook.</p> <p>Recording of areas of archaeological potential during construction through archaeological excavation and sampling would allow heritage assets to be preserved by record.</p> <p><b>It is considered that the scheme does not conflict with Policies S1, ENV4 and ENV11 of the adopted Neighbourhood Plan.</b></p>
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**Conclusion:-**

Melton Borough Council has worked closely with colleagues at Leicestershire County Council, AECOM, WSP and Jacobs during the development of the Local Plan to collate the evidence required to bring forward transport improvements that will allow the town to grow and prosper. This application has come forward as a result of extensive consultation with local communities and key stakeholders, and a successful bid to DfT Local Large Majors Fund.

The scheme aims to improve Melton’s quality of life and the environment of Melton Mowbray town centre by addressing congestion, air quality and noise issues, whilst supporting economic development and the delivery of housing to meet the needs of the local population. It will provide new transport infrastructure to access proposed new residential sites whilst ensuring that the new development does not worsen traffic conditions in the town. It will reduce congestion and air pollution in the town, improve access to the town centre, reduce HGV movements in the town, improve walking and cycling facilities, deliver environmental measures and enhancements and improve highway safety for all road users in Melton Mowbray.

It is considered that the proposal underpins the successful and timely delivery of the objectives of the adopted Melton Local Plan, providing much needed transport infrastructure, meeting the objectives of Local Plan policies SS1, SS2, SS4, SS5, IN1 and the relevant environmental policies, in addition to the WoW&TA Neighbourhood Plan.

**As such, Members are asked to give their support to the proposal, and to urge Leicestershire County Council to approve the application.**

**Recommendation:- the application is supported**

**Officer to contact: Sarah Legge  
Date: 1<sup>st</sup> November 2018**