



Rural Capital of Food

Agenda

Meeting name	Planning Committee
Date	Thursday, 30 May 2019
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH
Other information	This meeting is open to the public

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

Councillors	M. Glancy (Chair)	P. Posnett (Vice-Chair)
	P. Chandler	P. Cumbers
	J. Douglas	P. Faulkner
	L. Higgins	E. Holmes
	J. Illingworth	M. Steadman
	P. Wood	

Quorum: 4 Councillors

Meeting enquiries	Development Control
Email	externaldevelopmentcontrol@melton.gov.uk
Agenda despatched	Tuesday, 21 May 2019

No.	Item	Page No.
1.	APOLOGIES FOR ABSENCE	
2.	MINUTES To confirm the minutes of the previous meeting on 25.04.2019	1 - 10
3.	DECLARATIONS OF INTEREST Members to declare any interest as appropriate in respect of items to be considered at this meeting.	11 - 12
4.	SCHEDULE OF APPLICATIONS	
4 .1	18/01111/FUL Field OS 2713 2100, Longcliff Hill, Old Dalby	13 - 32
5.	DEVELOPMENT MANAGEMENT PERFORMANCE REPORT - QUARTER 4 2018/2019 The Development Manager to submit a report providing information on Development Management Performance in Q4 (Jan – March 2019)	33 - 42
6.	PROGRAMME OF TRAINING FOR PLANNING COMMITTEE	43 - 46
7.	URGENT BUSINESS To consider any other items that the Chair considers urgent	

Minutes

Meeting name	Planning Committee
Date	Thursday, 25 April 2019
Start time	6.00 pm
Venue	Pera Business Park, Nottingham Road, Melton Mowbray

Present:

Chair Councillor J. Illingworth (Chair)

Councillors

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

Observers

Officers Assistant Director for Strategic Planning and Regulatory Services
Development Manager (LP)
Administrative Assistant (KS)

Minute No.	Minute
PL80	<p>Apologies for Absence Cllr Bains, who was substituted by Cllr Higgins Cllr Greenow</p>
PL81	<p>Minutes Minutes of the meeting held on 4th April 2019.</p> <p>A Cllr wished for the spelling mistake of 'compliant' to be corrected,, and for 'and permitted' to be deleted from 'A Cllr stated that if it wasn't for the applicant being a Member then it would be a delegated decision and permitted' on page 13.</p> <p>Approval of the minutes was proposed by Cllr Faulkner and seconded by Cllr Baguley. It was unanimously agreed that the Chair sign them as a true record.</p>
PL82	<p>Declarations of Interest Cllr Rhodes declared an interest in matters which may arise in relation to the County Council, particularly a prejudicial interest in Item 6 which relates to the S106 and stated that he would leave the meeting.</p> <p>Cllr Posnett declared the same as Cllr Rhodes.</p>
PL83	<p>Schedule of Applications</p>
PL83.1	<p>18/00200/REM Applicant: Jelson Ltd:- Rob Thorley Location: King Edward VII Upper School, Burton Road, Melton Mowbray Proposal: Proposed construction of 120no. residential dwellings plus associated highway infrastructure and car parking provision. Reserved Matters to include Access, Appearance, Layout and Scale - Landscaping subject to subsequent separate application. (Outline application - 13/00877/OUT)</p> <p>(a) The Development Manager (LP) presented the report and stated that: The application seeks approval of the reserved matters application following the granting of application 13/00877/OUT located for development of 12 dwellings as MEL2 within the adopted Local Plan. Following on from committee site visits there are a number of updates, The density of the development is 24 per hectare. Materials have been conditioned to be submitted as part of the outline permission however the agent has confirmed that they would look to use predominantly traditional red brick and tile to reflect the retained school buildings. The footpath link was the subject of an application a few years ago to make it a formal public right of way. This went to appeal at which an</p>

inspector rejected the application because use had been permitted and controlled in association with the school, not by right of way. The agent has confirmed that the proposal is to re-open the link once development is complete and this was also a requirement specified by the Council and forms condition 20 of the approved outline application

The housing mix has been confirmed at 30 affordable units of which 18 are for rent and 12 for shared ownership of which up to 6 may be discount market units. The concentration of affordable units have been broken up and re-distributed as part of amendments made during the application process.

3 additional objections have been received since the publication of the report which raise concern over the felling of trees, housing mix, location of bungalows, loss of privacy, noise from pumping station and the pedestrian link to meadow way, these points are all considered within the report. It is considered that the development brings forward a reasonable mixture of housing which would contribute to identified needs and provides 30 affordable homes, the proposal is one that is allocated for housing in the Local Plan and therefore is recommended for approval.

(b) Helen Glancy, an objector, was invited to speak and stated that:

- Security concerns
- Queries on maintenance
- Fly tipping, anti-social behaviour concerns if woodland is accessible
- Sewer concerns
- Wildlife concerns

A Cllr asked what wildlife is present in the woodland.

Ms Glancy stated that there are foxes, squirrels, birds, pheasants, among others.

A Cllr asked if this was a bad area.

A Cllr clarified that there had been occurrences of anti-social behaviour in the past and this may return with open access.

The Development Manager stated that condition 7 requires fencing for security. Majority of the trees will be retained, and there will be a removal of poor species which will be replaced. The location of the pumping station has been driven by the position of the existing sewer and will be largely screened.

The Assistance Director of Strategic Planning and Regulatory Services stated that access will be restricted by fencing. The sewer essentially denotes a 'no build zone', and the maintenance of the site will be undertaken by a management company.

(c) Rob Thorley, the applicant, was invited to speak and stated that:

- Allocated land

- Sustainable brownfield site
- Restoration of school buildings
- Currently derelict and decaying
- Bungalows incorporated into scheme
- Mix of units including affordable housing
- Complies with Local Plan
- In keeping with area
- Woodland will be fenced off and bounded by gardens
- Management company will maintain

A Cllr asked if the woodland will be completely fenced off or if someone will have access.

Mr Thorley stated that access will be given for maintenance and the local nursery will be able to use it for educational purposes, but otherwise there will be no access.

The Chair stated that he didn't want the maintenance of the site to be forgotten about.

A Cllr asked if the footpath will be open.

The Development Manager explained that the change of ownership will allow the footpath to be reintroduced.

A Cllr had concerns that the footpath was closed due to anti-social behaviour and this may occur again.

A Cllr asked what materials would be used and if they would reflect the school buildings.

The Development Manager stated that a condition for materials is to be submitted.

A Cllr stated that it is a shame to lose the field for recreational purposes and another space needs to be found for this in the south of Melton.

The Chair proposed to permit the application.

Cllr Faulkner seconded the proposal to permit.

A vote was taken. It was unanimously decided that the application be permitted.

Determination: PERMIT, subject to the conditions as set out in the report.

REASONS: The proposed development is considered acceptable and within the parameters established at the outline stage. The proposal would secure a high standard of design and ensure satisfactory amenity for future and existing occupiers. The proposal is considered to comply with the Local Plan policies and

principles of the NPPF.

PL83.2

18/01479/OUT

Applicant: Richard, Peter and Gill Kendall

Location: Sandy Croft, 31 Sandy Lane, Melton Mowbray

Proposal: Residential development of up to 12 dwellings on land to rear of 31 Sandy Lane, Melton Mowbray

(a) The Development Manager (LP) presented the report and stated that:

The application seeks outline planning permission for up to 12 dwellings, the only item for consideration at this stage is access to the site which is served by an existing access onto Sandy Lane.

The site is partially brownfield land currently hosting garages, to which the leases have since expired.

The application site is in a sustainable location within the Town and would provide a housing mix of mostly smaller 2 and 3 bed dwellings along with the provision of bungalows and therefore is recommended for approval subject to Section 106 contributions and conditions as set out in the report.

(b) David Hargrave, an objector, was invited to speak and stated that:

- Objections submitted to indicative plan
- Should be a reduction of properties and redesign of layout
- Site suits single storey buildings
- Protect environment and quality of lives
- Loss of amenities
- Overbearing
- Japanese Knotweed issues – this needs to be eradicated

(c) Richard Cooper, the agent, was invited to speak and stated that:

- Site hidden from view
- Maintenance too excessive for owners
- Complies with Policies SS1 and SS2
- Sustainable travel links
- Unallocated land
- No objection from technical consultees
- Mixture of dwellings
- Existing perimeter screening retained
- Existing access reused
- Pedestrian access
- Bus stop retained
- Design will be developed at Reserved Matters
- S106 contributions

A Cllr asked if the developers will make sure DEFRA treat the Japanese Knotweed properly.

Mr Cooper stated that it would be dealt with before the land is sold.

A Cllr asked if amenity land would be provided, as 10+ houses need amenity land.

Mr Cooper stated that the development is for houses, however there will be an improved ecology strip. There is scope for amenity land.

A Cllr stated there would be parking to accommodate 31 Sandy Lane, and asked how many beds this is.

Mr Cooper stated it is a 3 bed dwelling.

A Cllr asked if there was a pond on the site.

Mr Cooper stated there is but it was not visible during the site visit.

A Cllr stated that it is a viable site with substantial plots, and asked if affordable housing could be secured.

The Assistant Director for Strategic Planning and Regulatory Services explained that it could be inserted into the S106.

A Cllr asked if a condition for amenity land could be considered.

The Assistant Director for Strategic Planning and Regulatory Services explained that this would need to be an amendment to the proposition.

A Cllr stated that they were in favour of the development but had concerns on the houses facing Victoria Street. Car parking is an issue and this could worsen it.

A Cllr stated that the development might not need to be up to 12 dwellings and does not need to come onto Victoria Street.

Cllr Holmes proposed to permit the application and instructed that the subsequent 'reserved matters' application is presented to Committee for determination details. Conditions should be added to ensure there is sufficient car parking, amenity land, affordable housing and materials.

Cllr Cumbers seconded the proposal to permit and added that it is a good use of land.

A vote was taken. It was unanimously decided that the application should be permitted.

Determination:

- (a) PERMIT, in accordance with the conditions set out in the report;**
- (b) That the reserved matters application subsequent to this permission are determined by the Planning Committee (rather than under**

delegated powers).

REASON: A finalised layout for up to 12 dwellings could be agreed at reserved matters stage that would not have any significant amenity or design impacts with regards to Policies SS1, SS2, D1 and C2 of the Melton Plan 2011-2036 and the proposed development is considered to be acceptable in principle.

PL83.3

18/01011/REM

Applicant: Bellway Homes:- Sally Smith

Location: Fair Farm, 33 Melton Road, Waltham on the Wolds

Proposal: Approval of reserved matters application for the erection of 60 new dwellings including new access, public open space, landscaping, play area and associated infrastructure

(a) The Development Manager (LP) presented the report and stated that:

The application was deferred at the Committee meeting of 4th April to enable a meeting between the applicants with the Ward Councillor and Parish Councillor facilitated by herself and Chair of the Committee.

The meeting was held on 16 April 2019 and as set out in the report the use of stone on the dwellings has increased from 12% to 33% and has been spread around the site.

This has ensured that the proposal meets the design requirements of both the local and neighbourhood plan and the application is recommended for approval as set out in the original report.

Cllr Holmes proposed to permit the application.

Cllr Glancy seconded the proposal to permit.

A vote was taken. It was unanimously decided that the application be permitted.

Determination: PERMIT, in accordance with the recommendations of the report.

REASONS: The increase in the use of stone will ensure that the proposal shows a greater reflection to the village as a whole and will further ensure its assimilation to the existing built form. The increase in the use of stone ensures that the proposal meets the design requirements of both Melton Local Plan and Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan.

PL84

Tree Preservation Order Ref: 151/909/6

Location: Land Adjacent to 27 Main Street, Branston

(a) The Development Manager (LP) presented the report and stated that:

The purpose of the report is for members to determine whether or not to confirm the provisional TPO at Land adjacent to 27 Main Street Branston. There has been one letter of objection to the proposal and additional information from western power who have reported back that the trees are acceptable in situ and western power will still undertake associated works

needed.

The recommendation is that the committee confirm the provisional TPO.

Cllr Botterill proposed to confirm the TPO.

Cllr Baguley seconded the proposal

A vote was taken. It was unanimously confirm the TPO.

Determination: the provisional TPO was confirmed.

The Provisional TPO is confirmed to allow for the recommended staged removal of ivy, followed by further inspection. Should removal of the trees still be proposed, submission of a detailed application for the removal of the trees can then be submitted which should include justification and evidence of the reasons for the proposed works.

PL85

13/00877/OUT: King Edward VII Upper School, Burton Road, Melton Mowbray
Cllrs Rhodes and Posnett left the meeting at 7.07pm.

Applicant: Leicestershire County Council:- Mr David Berry

Location: King Edward VII Upper School, Burton Road, Melton Mowbray

(a) The Development Manager (LP) presented the report and stated that:

The purpose of the report is for members to determine whether or not to vary the section 106 agreement to alter the level of affordable housing provision from 40% to 25% (30 units) and the addition of a new financial contribution of £432,650 towards the Melton Mowbray Distributor Road. The request has arisen due to the adoption of the Melton Local Plan in which Policy C4 sets out a variable requirement for affordable housing dependant on the 'value area' in which a site falls.

Should the proposal have been submitted as a fresh planning application MBC would look to seek between 5 and 10% affordable housing on this scheme along with a financial contribution to Leicestershire Highway Authority, therefore the recommendation is to approve the Deed of Variation.

The Chair proposed to permit the application.

Cllr Faulkner seconded the proposal to permit.

A Cllr stated that more affordable housing was needed in Melton and proposed that there should be 6 starter homes and 6 intermediate.

The Chair stated that he was happy to incorporate this.

A Cllr stated that every house should have solar panels to be cheaper to run.

The Assistant Director of Strategic Planning and Regulatory Services explained

that Policy C3 states the need to follow the Housing Needs Study. 15/16/17% is an appropriate proportion for starter homes. In response to the solar panels, this policy was attempted to be incorporated into the Local Plan but was diluted and pitched as aspiratory.

A vote was taken. It was unanimously decided that the application be permitted.

Determination: vary the s 106 currently in place to:

- (i) The alteration of the level of affordable housing provision from 40% to 25% (30 units); and**
- (ii) The addition of a new financial contribution of £432,650 towards the Melton Mowbray Distributor Road**

The amendments have been requested as a result of the adoption of the Melton Local Plan bringing a change in policy and the consideration of contributions It is therefore considered expedient to agree to this amendment and avoid the need for a further Section 106 application and the associated administration.

Cllrs Rhodes and Posnett returned to the meeting at 7.17pm.

PL86

Urgent Business

Cllr Baguley stated that there is a need to plant more trees in developments.

The meeting closed at: 7.23 pm

Chair

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Advice on Members' Interests

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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Melton
Borough
Council

Planning Committee

30th May 2019

Report of:

Assistant Director of Strategic
Planning and Reg. Services

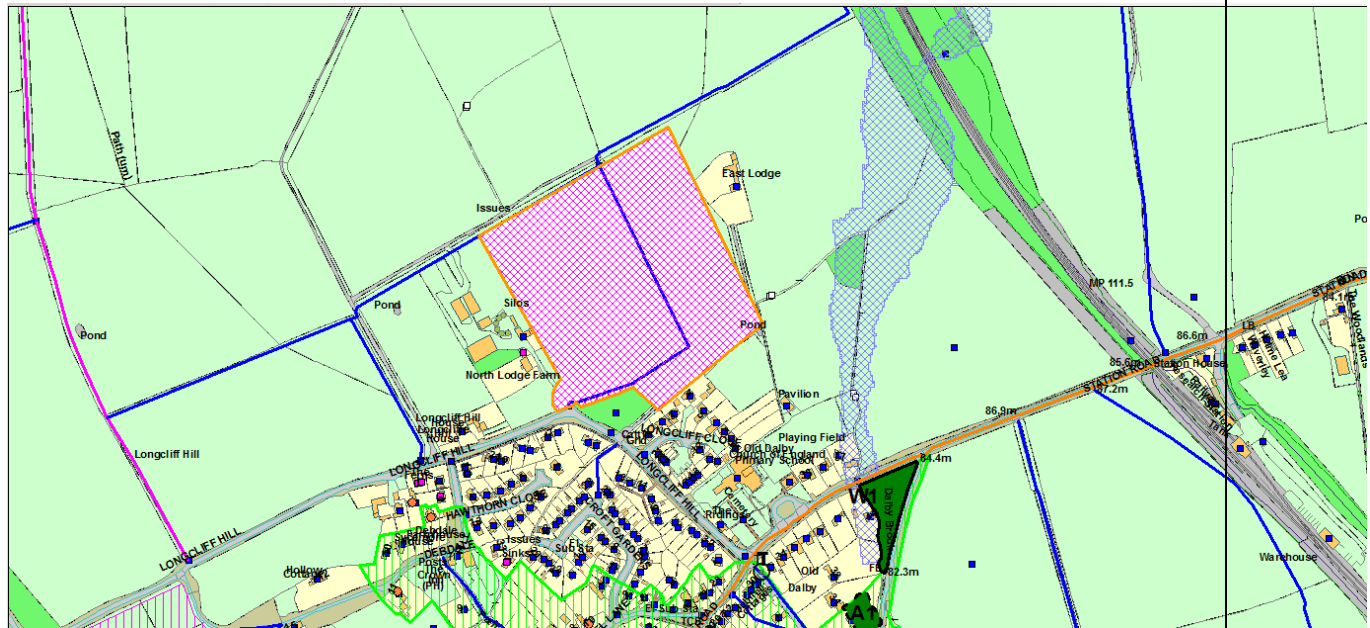
18/01111/FUL: Field OS2713 and 2100, Longcliff Hill, Old Dalby

Proposed residential development on land off Longcliff Hill, Old Dalby that currently benefits from three outline approvals – 16/00911/OUT, 16/00184/OUT and 17/00743/OUT.

1. Summary:

The application site is located off Longcliff Hill and is approximately a square parcel of land to the north and north-east of the highway. It is accessed from the highway in the south-west corner of the site and is bordered by countryside to the north and east, by countryside and housing on Longcliff Close to the south and by North Lodge Farm to the west.

The submission comprises a full application for the erection 36 dwellings, associated infrastructure and landscaping. Revised plans have been received amending the layout to address visual amenity issues and issues raised through the consultation process.



2: Recommendations:

Permit subject to:

(i) Completion a S.106 agreement making for:

- Affordable housing provision;
- Open space;
- NHS contribution;
- Education contribution;
- Libraries contribution;
- Civic amenities contribution;
- Potentially a contribution to the village hall.

(as set out below).

(ii) Conditions as set out in Appendix C

(iii) No objections being received from Leicestershire County Council Highway Authority

3: Reasons for Recommendation:

The site already has the benefit of outline approvals for a total of 28 dwellings and is allocated in the Local Plan for 28 dwellings. The proposal seeks permission for 36 dwellings on a larger site than the existing outline approvals, extending to the south beyond the allocated site. However, this extension is modest and the increase in the number of additional dwellings is not considered significant overall. The proposal would secure a high standard of design and ensure satisfactory amenity for future and existing occupiers. Issues including the impact on hedges, drainage, archaeology and ecology have been satisfactorily addressed. Conditions recommended on this application will ensure the development is delivered and achieve the standards required. The outstanding issues of highways are the subject of on-going discussions and will be reported to Committee. As such, the proposal is considered to comply with the Local Plan policies referred to above and principles of the NPPF, subject to the highways and subject to the completion of a s.106 agreement.

4: Key factors:

Reason for Committee Determination

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

Relevant Policies

The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and is the Development Plan for the area.

- The Nether Broughton and Dalby Neighbourhood Plan was adopted on 6th June 2018 and forms part of the Development Plan.
- The site lies in Old Dalby and complies with Policy SS1 and SS2.
- The site forms part of the Local Plan housing allocation OLD1 with estimated capacity of 28 dwellings.
- No inconsistency with the NPPF has been identified that would render Local Plan policies 'out of date'.

Please see Appendix D for a list of all applicable policies

Main Issues

The main issues for this application are considered to be:

- Position under the Development Plan policies
- Principle of development
- Impact upon the character of the area
- Impact upon residential amenities
- Highway Safety
- Ecology
- Impact on Hedges
- Impact on the public footpath

5: Report Detail:

5.1 Position under the Development Plan policies

The majority of the site is allocated for residential development under Policy OLD1 of the adopted Local Plan. The southern part of the site falls outside of this allocation. The site is within the Limits to Development in the Neighbourhood Plan.

5.2 Principle of Development

The majority of the site has the benefit of outline approval for 28 houses and is allocated in the Local Plan. As such, the principle of residential development on the allocated part of the site has been established and is supported in principle. The current proposal does propose an additional 8 dwellings; however, this is considered to be a relatively marginal increase overall on a small parcel of additional land to the rear of the site which has an extant approval for three further dwellings. Furthermore, the proposal has other benefits including affordable houses, other contributions under the s.106 legal agreement and sought housetypes such as bungalows.

The overall historic approvals on this site and the adjacent site totalled 35 and 36 are now proposed on this site in addition to the 3 under construction on the adjacent site. However, the site area has also expanded to the south which has facilitated the increase in numbers.

As such, the principle of development is acceptable.

5.3 Impact upon the character of the area

The proposed layout maximises the natural attributes of the site including the boundary hedges and retaining much of the hedgerow adjacent to the footpath. Revisions have been received following the original submission to address the design issues identified and overall the proposed scheme is acceptable visually.

The layout has been enhanced to increase the active frontages on the key visual points of the site, to reduce the visual impact of vehicle parking and to more effectively integrate all dwellings within the site. The proposal will also include additional landscaping and open space via a condition.

It is considered the proposal would achieve a high standard of design and layout, in compliance with Policy D1.

5.4 Impact upon residential amenities

The layout has been assessed to ensure the residential amenity of future occupants of the development and existing neighbours would be secured. The scheme would minimise the impact on existing neighbouring properties through careful siting and design and would provide a satisfactory level of amenity for future occupiers.

Overall, it is considered the proposal would provide a satisfactory level of amenity for existing and future occupants.

5.5. Highway Safety

The site has the benefit of permission for 28 dwellings which would use the access now proposed. As such, although the formal comments of the Highway Authority are awaited on the latest revision, it is considered the issues raised can be satisfactorily addressed.

5.6 Affordable Housing/Housing Mix

The proposal comprises the erection of 36 dwellings of the following mix: 6 x 2 bedroom semi-detached dwellings, 3 x 2 bedroom bungalows, 14 x 3 bedroom semi-detached properties, 2 x 3 bedroom detached dwellings, 8 x 4 bedroom detached dwellings and 3 x 5 bedroom detached dwellings.

A total of 9 affordable houses would be provided on the basis of 2 affordable rented dwellings, 3 discount market units and 4 starter homes.

It is considered the proposals represent an acceptable housing mix in terms of size, type and tenure and results in a satisfactory affordable housing provision.

5.7 Ecology

The latest revision allows for a significant proportion of the hedge adjacent to the footpath to be retained. It is acknowledged retention of the hedge in its entirety would be preferable from an ecological perspective; however, other factors have to be considered within the planning balance including the visual impact of the proposal and better integration of dwellings within the overall site.

The latest layout retains much of the hedge but allows for an enhanced visual appearance to the layout with smaller parking courts and better integrated dwellings.

The comments from County Ecology relating to the northern and western boundaries where there are no buffers between the hedges and the domestic gardens are noted. However, should such buffers be incorporated the developable space would be significantly reduced and achieving a satisfactory scheme would become challenging. It should be noted the layouts for the outline approvals were indicative only and it has not been possible to include these buffers within this scheme. It is however possible to secure the retention of these hedges through a condition and to enhance the biodiversity of the site through additional landscaping.

Overall, it is considered the ecological interests of the site and immediate surroundings will be adequately safeguarded by the proposed layout together with conditions relating to construction methods in close proximity to hedges and additional landscaping.

5.8 Flood Risk/Drainage

The proposal has been subject to consultation with the LLFA and Severn Trent Water who raise no objection. A condition can be imposed to ensure the drainage strategy is satisfactory and implemented.

5.9 Footpaths

The latest revised layout reduces the number of openings that would interrupt the footpath and would retain a greater amount of the hedge. These changes would enhance the safety of users of the footpath and ensure an enhanced experience of using the footpath. Furthermore, it should be noted that the part of the footpath affected by the proposal represents a small length of footpath and the County Footpaths Officer raises no objection.

Consultation & Feedback

A site notice was posted and neighbouring properties consulted on the original plan, a revised plan and the latest plan (Rev O). As a result 2 letters of objection were received on the original consultation, 15 letters of objection received on the second consultation and 5 letters of objection received on consultation on Rev O. A petition, signed by 103 people has been submitted following the second consultation.

Financial Implications:

A S.106 agreement has been requested making contributions as set out in the report above for:

- NHS contribution; £7,903.84
- Education contribution; Amount to be confirmed
- Libraries contribution; £1090.00
- Civic amenities contribution; £2976.00
- Potentially a contribution to the village hall.
- Potentially Highways contribution subject to comments being received.

Background Papers:

- Planning Application File 16/00184/OUT Approval for the erection of 20 dwellings.
- Planning Application File 16/00911/OUT Approval for the extension of the approved residential development under 16/00184/OUT to provide an additional 8 dwellings.
- Planning Application File 17/00743/OUT Approval for an outline application for the development of 7 dwellings.

Appendices:

A; Consultation responses
B: Representations received
C: Recommended conditions
D: Applicable Development Plan Policies

Report Timeline:

Assistant Director Approval

20th May 2019

Report Author: Mr Joe Mitson, Planning Officer, Development Management

☎: 01664 502395

Appendix A : Consultation replies

LCC Highway Authority

Observations awaited.

Broughton and Old Dalby Parish Council

The number of three storey buildings in the application are not in keeping with the area, there is not sufficient parking for any vehicles over and above homeowners i.e. visitors or deliveries etc.

It was also noted that with 94 car parking spaces this application would present a considerable challenge to the highways infrastructure particularly given the narrowness of the road in this area, it was considered that this application is so far removed from the original applications, particularly with regards to an additional 4 houses, that there should be a completely new application.

Concern was expressed with regards to drainage and asks that the drainage proposals are adequate given the movement of a pond and the nature of the subsoil.

Pleased to see bungalows included in this application.

This scheme represents an amalgamation of 3 applications; however, the number of dwellings on this amended plan exceeds the total of these original applications. There is no demonstrable need for this number of new houses in Old Dalby, an assertion supported by both the Melton Local Plan and the Broughton and Old Dalby Neighbourhood Plan. The Melton Local Plan asserts that new housing will be delivered within the Local Plan on the site referred to as OLD1 North Lodge Farm, Longcliff Hill giving a target of 28 dwellings. The density of dwellings in this proposed scheme is not in keeping with the area and is unsuitable for the street scene in Old Dalby. All highways issues need to be addressed prior to any approval.

Seek confirmation regarding who will maintain the play area on the site and how this will be costed.

Expressed concern regarding the issue of drainage on site. It is acknowledged that the ground in this area is impermeable and yet plans show the use of permeable paving, this would result in water running into Old Dalby Brook contamination of which would impact farming in the area. A petrol interceptor essential to address this issue of contamination.

LCC Footpaths

It is not clear from the amended plan available, what surfacing will be used for the public footpath; require a new footpath fingerpost, where the footpath will join the new footway. Raise no objection to the amendments subject to conditions and informatives.

Conditions

Notwithstanding Drawing No. 7737-03-01 Rev O the Public Footpath shall comprise of 2 metre wide tarmac surface with a 1 metre uncluttered verge either side

throughout its length within the development site.

Notwithstanding Drawing No. 7737-03-01 Rev O the Public Footpath shall be provided with a hand-gate in the perimeter fence in the north eastern corner of the site compliant with LCC standard drawing SDFP11_REV_A.

Prior to completion of the development, the Public Footpath should be sign posted from the point where it leaves the new estate road with a LCC standard footpath fingerpost compliant with LCC standard drawing SD/FP/7.

LLFA

An updated site plan has been provided in which areas of permeable paving have been replaced within the masterplan. An updated Flood Risk Assessment has been provided to support this masterplan. The drainage strategy drawing still identifies permeable paving within land that the masterplan now identifies as cobbles. Given that these areas of permeable paving are not utilised as attenuation within the drainage strategy, the Lead Local Flood Authority (LLFA) will expect this drainage strategy to be updated to support the discharge of conditions application for the surface water drainage strategy.

Conditions

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.

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.

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

LCC Ecology

Note that the most recent revision to the proposed layout (Rev O) retains some of the hedgerow running east-west across the site as was shown in Rev E. Whilst we would prefer the hedgerow to be retained in its entirety the proposed layout does retain the overall corridor and sits the hedgerow in an area of open space rather than adjacent to plot boundaries. This will help to protect the feature long-term, allowing adequate room for the hedgerow to grow whilst allowing access for maintenance. We would recommend that any additional planting in this open space comprises locally native species.

However, the existing western and the proposed northern hedgerow appear to be immediately adjacent to plot boundaries, with no buffer zone. We would recommend that the layout is rearranged to include buffers adjacent to the hedgerows, in accordance with the Hedgerows and Planning guidance note (attached). These

hedgerows were buffered on the indicative layouts for applications 16/00184/OUT and 16/00911/OUT.

LCC Archaeology

The Leicestershire and Rutland Historic Environment Record (HER) notes that the site lies on the edge of the historic settlement core of the village of Old Dalby (HER ref.: MLE9269) and adjacent to a shallow alleviated stream course. Archaeological remains reflecting the early medieval establishment of the village, and/or its subsequent fluctuations in size, may well be present in the vicinity. Whilst no recorded archaeological remains are noted on the HER, this is likely to be attributable to a lack of previous archaeological investigation. In that context, previous investigation of vacant land within the village has produced evidence of otherwise unknown Anglo-Saxon and medieval remains (MLE15774 and 15775).

The development of the site will lead to the excavation of foundations, services and landscaping, all are likely to impact upon buried archaeological remains should such evidence be present. In accordance with NPPF paragraph 189, assessment of the submitted development details and particular archaeological interest of the site, has indicated that the proposals are likely to have a detrimental impact upon any heritage assets present. NPPF paragraph 199, states that developers are required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact of development. 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. If planning permission is granted the applicant must obtain a suitable written scheme of Investigation (WSI) for both phases of archaeological investigation from an organisation acceptable to the planning authority.

Conditions

No development shall take place until a programme of archaeological work, informed by with an initial phase of trial trenching, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and the programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme), the programme for post-investigation assessment, provision to be made for analysis of the site investigation and recording, provision to be made for publication and dissemination of the analysis and records of the site investigation, provision to be made for archive deposition of the analysis and records of the site investigation, nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1) and the provision made for analysis, publication and dissemination of results and archive

deposition has been secured.

Developer Contributions

Education

Primary: The site falls within the catchment area of Old Dalby C of E Primary School. The School has a net capacity of 147 and 171 pupils are projected on the roll should this development proceed; a deficit of 24 pupil places. The total deficit for this school to 16 pupil places of which 13 are existing and 3 are created by this development.

In order to provide the additional primary school places anticipated by the proposed development the County Council request a contribution for the Primary School sector of **£35,020.80**.

Secondary: There are two 11-16 secondary schools in Melton Mowbray, these are The Long Field School and John Ferneley College. The schools have a total net capacity of 1900 and a total of 2275 pupils projected on roll should this development proceed and 2 are created by this development. In order to provide the additional 11-16 school places anticipated by the proposed development, the County Council requests a contribution for the 11-16 school sector of **£23,954**.

Civic Amenity

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 36 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 = £2976.00. (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 increasing discharge consents for drainage and effluent discharge for increased waste storage.

Libraries

The proposed development on Longcliff Hill is within 9km of Melton Library on Wilton Road, being the nearest local library facility which would serve the development site. The library facilities contribution would be £1,090 (rounded up to the nearest £10).

It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for digital services e.g. e-books, tablet provision, etc. to account for additional use from the proposed development. It will be placed under project no. MEL008. There are currently four other obligations under MEL008 that have been submitted for approval.

NHS facilities

The development is proposing 36 dwellings which, when based on the average occupancy of a practice dwelling of 2.42 would result in an increased patient population of approx. 87 patients. An increase in the practice list will create additional pressure on clinicians and admin teams. A contribution of £7,903.84 is

requested for the expansion of facilities at Latham House.

Severn Trent Water

No objection subject to a condition and informative.

Condition

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Trent Valley Internal Drainage Board

The site is outside of the TVIDB district but within the Board's catchment. There are no Board maintained watercourses in close proximity with the site. Surface water run-off rates to receiving watercourses must not be increased as a result of the development. The design, operation and future maintenance of site drainage must be agreed with the LLFA and LPA.

Designing Out Crime Officer

Potential access to the site is via a single entry point off Longcliff Hill with public open space to the right side. To the left side are proposed new dwellings. Immediately after this point the roadway splits into two routes through the site. This is a good solution as the roadways are separate and have a turning point at the ends. The single entry road does offer security benefits and I recommend the use of a symbolic entry point, using different materials and signage to deter unauthorised access.

Also should consider the use of CCTV coverage of key positions. The potential benefit of this would be to deter unauthorised entry. The use of a single CCTV camera to capture images of persons or vehicles would be a significant deterrent to potential offenders and offer the Police a direct line of enquiry if required. Supporting lighting at this access point is recommended as this is the most vulnerable position for residents and visitors.

The potential for open space in this area is to the right of the single entry road, which is a benefit as should a CCTV camera be positioned near the entry road to capture number plate images, a second camera to cover the open space would be cost effective due to its proximity to the first unit. Both areas would then be secure and offer a safe environment for residents.

Vehicle security is an issue to be aware of at this location due to the communal parking spaces at various points such as plot 5 to 8 with 6 spaces. Also plots 3 and 4 have 4 spaces in a line. I recommend supporting lighting to improve their security and to deter potential offenders.

1. Street lighting columns to BS 5489 are recommended.
2. Appropriate fencing should be used to enclose the perimeter and is recommended to be 1.8m in height. This can be via planting or manufactured fencing.
3. Key access points leading into the development should be considered for CCTV coverage supported by lighting to allow identification during day and night. This

would allow vehicle and facial recognition in key areas. Appropriate signage should be in place to be compliant with the Data Protection Act.

4. Natural surveillance should be possible via ground level foliage being trimmed to 1m high and trees to have no foliage lower than 2m from the ground to allow a clear field of vision.

5. Vehicular parking is recommended to be in curtilage as part of the dwellings where possible. Communal parking should be supported by natural observation, lighting and be set in clearly defined areas to deter unauthorised access.

6. Consideration of Secured by Design principles is recommended and information in respect to the different standards is available on request.

Condition

No development above ground shall commence until details of illumination for the car parking areas serving Plots 1-8 have been submitted to and approved in writing by the Local Planning Authority. These approved details shall be implemented prior to the first use of the area for parking of residents vehicles and shall thereafter be so maintained.

Appendix B : Summary of representations received

Principle of Development

In 2018 the Secretary of State upheld Melton Borough Council's refusal to grant planning permission in respect of residential development of 45 houses at Queensway. The reasons for agreeing that planning permission should be refused included there are in Old Dalby insufficient school places, that public transport is limited to a 2 hourly service, that there are minimal local services and a poor infrastructure to support new housing. Since then the Council has approved 72 houses behind Station Lane. The village is being swamped by new housing beyond the capacity of the village to absorb the demands arising.

In addition this application increases the number of dwellings beyond the previous outline approvals by a further 4 houses all apparently squeezed into what had been 17/00743/OUT outline approval. The outline planning approvals referred to in this application were for a total of 35 houses on three sites. The applicant now requests approval for 36 houses, but this is in addition to three already under construction on a site that is considerably smaller than the original three combined.

It appears an attempt to hide social housing behind fences and hedgerows.

Since the approval of previous permissions on this site the Neighbourhood Plan has been adopted.

Impact on Footpath

The proposal creates a new public footpath to replace the current which it acknowledges as currently running adjacent to dense hedgerow and alongside open farmland. That new footpath will have a fence on one side and garages on the other. It will have to cross 3 access roads which will pose a significant danger to walkers.

The application proposes to eradicate a section of the long standing public footpath

and the nature corridor and hedge adjacent to it. There are no proposals made in this application as to how walkers are intended to reach the public footpath at the far end or the site either after the site is completed.

Loss of Trees/Hedges

Trees are to be removed.

The proposed hard paving for driveways comprises the root zones of several of these trees. The trees will be close to the new dwellings which is not recommended on shrinkable clays.

Highways

The Transport study assesses that there will be some 50 additional car journeys each day, one every 2.5 minutes at peak times. The Highway Authority suggests this is an underestimation. The study suggests that the main route to be taken will be along Longcliff to join Main Road, both already acknowledged as congested due to the relative narrowness and increasing size of farm vehicles and with a junction which has visibility issues not addressed in this application.

Longcliff Hill is hazardous to traffic and pedestrians due to it being a narrow road with limited offstreet parking and many cars being parked on the side of the road. This is exacerbated by a sharp 90 degree, fairly blind, bend at the foot of this hill in the same location as the entrance to and exit from this development. The development splay should be enhanced to maximize visibility for both drivers and pedestrians and hence minimise the risk of accidents and harm.

Understand that access is still possible near the end of the road to East Lodge. If this could be used then the whole hedge would remain intact.

Visual Impact

There are 3 storey house proposals and lighting proposals all of which will increase the invasion of the countryside.

The proposal pushes housing beyond the approved confines leading to urban sprawl.

The design of the houses is not in keeping with adjoining existing properties on Longcliff Close. 1-4 Longcliff Close overlook this development and are 2 storey with the first floor being partly in the roof space. The plots on the plan closest to the existing houses are three storey and I assume much taller than existing properties. Three houses are currently being built on Longcliff Hill (18/00571/FUL) that are of a similar design to those planned and these houses do not fit in with the existing look and feel of the village. They are very imposing being much taller than surrounding houses and are squashed in, giving very little feeling of space.

Ecology

Where possible, development proposals should seek to increase tree and woodland cover with appropriate planting, hedgerows retained and protected, where loss is unavoidable, it should be mitigated with replacement planting of locally appropriate

native species.

The removal of the hedge results in unnecessary harm to wildlife.

S.106 Contributions

The development should be required to fund the cost of safe pedestrian access between the new houses and both the primary school and preschool. There is an access for the former along the path towards the cricket club. However, the access for the latter is on the Main Road school turning circle so there should ideally be a continuous pavement to and from that, or if there is no option but to cross the road, then a safe crossing point for small children with adults should be established.

The development should be required to make a s106 financial contribution to the necessary renovation of the Old Dalby Village Hall, based upon these new 36 houses adding around 15% to the number of properties within the village itself.

Consider this to be a piecemeal development designed to thwart any contribution to our village due under Section 106 arrangements. This includes the oversubscribed village school, community facilities such as the village hall and play park, increased burden on our transport infrastructure such as Nottingham Lane, increased burden on local medical facilities.

Petition

The developers have wilfully and knowingly created access difficulties by building at the front of the site (18/00571/FUL) and hence creating a problem which we do not consider should be addressed by the loss of the public footpath and right of way. The developer is seeking to increase the number of houses beyond that previously agreed by the Planning Committee - from 7 to 11, - for which there is no justification and which is contrary to the Local and Neighbourhood Plan as applied to Old Dalby.

It is proposed to remove the ancient public footpath and nature corridor and replace it by an estate road and pavement which will traverse 7 driveways and prove unsafe and unattractive to walkers. This is contrary to the intent of the Town and Country Planning Act and advice therein.

Appendix C: Recommended Conditions

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

2. The development shall be carried out in accordance with the following plans:

7737-03-01 Rev O

7737-03-14 Rev B

7644-03-13 Rev B

7737-03-12 Rev B

7737-03-10 Rev B

7737-03-09 Rev C

7737-03-08 Rev D

7737-03-07 Rev D

7737-03-06 Rev D

7737-03-05 Rev C

7737-03-04 Rev C

7737-03-03

7737-03-16

7737-03-02 Rev A

3. 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.

4. 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.

5. 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.

6. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority.

7. Notwithstanding Drawing No. 7737-03-01 Rev O the Public Footpath shall comprise of 2 metre wide tarmac surface with a 1 metre uncluttered verge either side throughout its length within the development site.

8. Notwithstanding Drawing No. 7737-03-01 Rev O the Public Footpath shall be provided with a hand-gate in the perimeter fence in the north eastern corner of the site compliant with LCC standard drawing SDFP11_REV_A.

9. Prior to completion of the development, the Public Footpath should be sign posted

from the point where it leaves the new estate road with a LCC standard footpath fingerpost compliant with LCC standard drawing SD/FP/7.

10. No development shall take place until a programme of archaeological work, informed by with an initial phase of trial trenching, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and the programme and methodology of site investigation and recording (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme), the programme for post-investigation assessment, provision to be made for analysis of the site investigation and recording, provision to be made for publication and dissemination of the analysis and records of the site investigation, provision to be made for archive deposition of the analysis and records of the site investigation, nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

11. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition.

12. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (1) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

13. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

14. No development above ground shall commence until details of illumination for the car parking areas serving Plots 1-8 have been submitted to and approved in writing by the Local Planning Authority. These approved details shall be implemented prior to the first use of the area for parking of residents vehicles and shall thereafter be so maintained.

15. All ensuite and bathroom windows shall be glazed with densely obscured glass. All side facing windows serving bedrooms in plots 5-8, 11-16, 19-20, 32-33, 29-30 and 35 shall be glazed with densely obscured glazing. This arrangement shall thereafter be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

16. Notwithstanding the details shown on the approved plans and documents, details of the materials to be used in the construction of the external surfaces shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of any works above damp proof course level of the buildings hereby permitted is carried out.

17. 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.

18. 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.

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. In order to ensure the long term health of the trees and hedges to be retained.
4. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
5. 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 though the entire development construction phase.
6. To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.
7. To provide an all-weather route in the interests of amenity, safety and security of users of the Public Rights of Way in accordance with Paragraph 75 of the National Planning Policy Framework 2012.
8. To ensure access to the Public Footpath is retained in accordance with Paragraph 75 of the National Planning Policy Framework 2012.
9. To ensure the path is easy to follow through the development in the interests of amenity, safety and security of users of the Public Rights of Way in accordance with Paragraph 75 of the National Planning Policy Framework 2012.
10. To ensure satisfactory archaeological investigation and recording.
11. To ensure satisfactory archaeological investigation and recording.
12. To ensure satisfactory archaeological investigation and recording.
13. To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem

and to minimise the risk of pollution.

14. In order to minimise the risk of crime.

15. In the interests of residential amenity.

16. In the interests of visual amenity.

17. In the interests of visual and residential amenity.

18. To ensure the provision and maintenance of landscaping.

Appendix D : Applicable Development Plan Policies

Local Plan

- Policy SS1 Presumption in Favour of Sustainable Development.
- Policy SS2 Development Strategy.
- Policy C1 (A) Housing Allocations (OLD1).
- Policy C2 Housing Mix.
- Policy C3 National Space Standard and Smaller Dwellings.
- Policy C4 Affordable Housing Provision.
- Policy EN1 Landscape.
- Policy EN2 Biodiversity and Geodiversity.
- Policy EN8 Climate Change.
- Policy EN11 Minimising the Risk of Flooding.
- Policy IN2 Transport, Accessibility and Parking.
- Policy IN3 Infrastructure Contributions and Community Infrastructure Levy.
- Policy D1: Raising the Standard of Design.

Broughton and Old Dalby Neighbourhood Plan

- Policy S1 Limits to Development
- Policy H1 Housing Provision

- Policy H3 Windfall Sites
- Policy H4 Housing Mix
- Policy H5 Affordable Housing Provision
- Policy H6 Housing Design
- Policy ENV6 Footpaths and Bridleways
- Policy ENV9 Biodiversity
- Policy BE5 Broadband

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Melton
Borough
Council

Council / Committee – Planning Committee

Date 30 May 2019

Report of: Assistant Director of Strategic
Planning and Regulatory
Services

PLANNING COMMITTEE: DEVELOPMENT MANAGEMENT PERFORMANCE 2018/19 QUARTER 4.

1.0 Summary:

1.1 The purpose of the report is to advise the Committee, of current national Performance indicator outcomes related to the determination of planning applications for Q4 (January to March 2019).

2.0 Recommendations

2.1 It is recommended that committee notes the current performance data.

3.0 Report Detail

3.1 GROWTH AND INFRASTRUCTURE ACT

3.1.1 The Growth and Infrastructure Act 2013 put in place Performance Standards, known as the 'Planning Guarantee'. However, this was updated on 22 November 2016 with a new paper entitled 'improving planning performance: Criteria for designation (revised 2016)'.

This states that the performance of Local Planning Authorities in determining major and non-major developments will now be assessed separately, meaning that an authority could be designated on the basis of its performance in determining applications for major development, applications for non-major development, or both. The assessment for each of these two categories of development will be against two separate measures of performance:

- the speed with which applications are dealt with measured by the proportion of applications that are dealt with within the statutory time or an agreed extended period; and,
- the quality of decisions made by local planning authorities measured by the proportion of decisions on applications that are subsequently overturned at appeal.

Therefore, the performance of local planning authorities will be assessed separately against:

- The speed of determining applications for major development;
- The quality of decisions made by the authority on applications for major development;
- The speed of determining applications for non-major development;

- The quality of decisions made by the authority on applications for non-major development.

Where an authority is designated, applicants may apply directly to the Planning Inspectorate (on behalf of the Secretary of State) for the category of applications (major, non-major or both) for which the authority has been designated.

Data showing the performance of local planning authorities against the speed and quality measures are published by the Department for Communities and Local Government on a quarterly basis. The Secretary of State will aim to decide whether any designations should be made in the first quarter of each calendar year, based on the assessment periods for each measure set out in the table below.

3.2 MEASURES OF PERFORMANCE OUTCOMES AND CURRENT POSITION

3.2.1 SPEED OF DECISIONS

The table below shows the Council's recent and current performance on speed of decisions. It includes historical data for ease of comparison

Indicator	2017-18 Q1	2017-18 Q2	2017-18 Q3	2017-18 Q4	2018-19 Q1	2018-19 Q2	2018-19 Q3	2018-19 Q4
% 'major' applications determined in 13 wks, or within agreed period.	100%	75%	93.33%	88.9%	93.33%	91%	100%	100%
% 'minor' applications determined in 8 wks, or within agreed period.	80%	80.4%	85.5%	85.3%	85.5%	82%	87.4%	87.6%

3.2.2 Planning application performance for quarter 4 shows a slight increase in performance in minor applications alongside a consistently high performance in major applications and again takes the Authority well above the national target of 60% for Majors and 70% for Minors with the authority continuing to be well above average.

3.3 QUALITY OF DECISIONS

3.3.1 The outcome of appeals is regarded as a principal measure of decision making quality, being the means by which decisions are individually scrutinised and reviewed.

Indicator	2014/15	2015/16	2016/17	2017/18	2018/19 Q1	2018/19 Q2	2018/19 Q3	2018/19 Q4
%age of appeals against refused applications	47%	76%	58.82%	72.22%	50%	50%	57%	57%

dismissed								
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3.3.2 Appeal performance for Quarter 4 has remained consistent to the last quarter and increased towards the second half of the year with an overall percentage of 53% for the year, this has decreased since the overall period of 2017/2018, it is hoped that now the Melton Local Plan is in place, appeal decisions will stabilise and performance increase during the 2019/2020 period and subsequent reports will monitor this performance.

3.4. Appeals by decision background

The table below indicates the Council's appeal record for quarter 4, with key information associated with a selection of the appeals detailed in Appendix 1 below.

Decision type	No. of appeals dismissed	No. of appeals allowed
Delegated	4	2
Committee, in accordance with recommendation	0	0
Committee, departure from recommendation	0	1

3.5 DEVELOPMENT OF THE SERVICE

3.5.1 The Planning Review which began in August 2018 is now coming to fruition with working groups in place to take suggestions forward and implement recommendations and tasks within it. Previous members were invited to be involved in the review and the process is still ongoing, whilst initial results of the Review have been presented to the Committee, further updates will also be presented when they are available.

3.6. SUMMARY AND CONCLUSION: HOW ARE WE PERFORMING?

3.6.1 This report has shown that in quarter four standards of performance for majors have once again been 100% which is well above average, there is also consistent high performance in major applications. It is hoped that this performance continues through to 2019/2020.

3.6.2 Members will be aware that there were 2 x vacant posts within Development Management for Planning Officer positions, we are pleased to announce that 3 x people have been recruited to this role to fill a full time post and 2 x part time roles, one of which is an existing member of staff who has successfully been promoted to the position of Planning Officer.

3.6.3 Our appeal record for the fourth quarter of the year has remained at a consistent 57%, whilst this is lower than expected, it is above the national standard. Recent appeal decisions are now being considered against the new Melton Local Plan and it is encouraging that inspectors are supporting the New Local Plan when issuing decisions, it is hoped that now the transition period of the Local Plan has taken place, going forward successful appeal decisions should increase.

4.0 Consultation and Feedback (including Scrutiny Committee)

4.1 No consultation has been carried out.

5.0 Next Steps

5.1 The next steps are administrative in nature – monitoring decisions for their necessary due dates and ensuring a quality decision is issued.

6.0 Financial Implications

6.1 There is not a financial implication to this, however there is always a risk of costs being awarded against the Local Planning Authority should a planning decision be challenged.

7.0 Legal and Governance Implications:

7.1 The Local Planning Authority are required by law to submit their quarterly performance results to The Ministry of Housing, communities and Local Government, which collect information about the range of district matter applications that local planning authorities handle when exercising their development management functions.

The figures collected are summarised and published as National Statistics in MHCLG’s planning application statistics quarterly statistical release and in a range of associated live tables, available at <https://www.gov.uk/government/collections/planning-applications-statistics>. The statistics are used by central government to monitor planning policies and performance, and by a wide range of other users, including local authorities, academics and the general public.

8.0 Equality and Safeguarding Implications:

8.1 No Equality or Safeguarding implications have been identified.

9.0 Community Safety Implications:

9.1 No Community Safety implications have been identified

10.0 Other Implications

10.1 No wider implications have been identified

11.0 Risk & Mitigation:

11.1

L I K E L I H O O	A	Very High				
	B	High				
	C	Significant		1		
	D	Low				

D	E	Very Low				
	F	Almost Impossible				
			Negligible 1	Marginal 2	Critical 3	Catastrophic 4

IMPACT

Risk No	Risk Description
1	Should the Local Planning Authority not meet expected performance targets, they are at risk of intervention with the possibility of applications being submitted directly to the Planning Inspectorate.

Background Papers:

None

Appendices

None

Report Timeline:

Assistant Director Sign Off: 20th May 2019

Exempt Reports

N/A

Date of Review to make public (Exempt Reports only)

N/A

Report Author & Job Title

L Parker: Development Manager

☎: 01664 50375

Appendix One: Review of appeal decisions for Quarter 4 2018/2019 decisions

Proposal: 17/01393 Outline application for three new dwellings with all matters reserved – Land South of St Michaels Church, Church Walk, Thorpe Satchville.

Level of decision: Delegated

Reasons for refusal:

1 The proposal does not demonstrate that there is adequate vehicular access to the site, furthermore, the proposal makes inadequate provision for residential vehicles and emergency fire vehicles to access the site. The application is, therefore, deemed contrary to Policy BE1 of the Melton Local Plan which seeks to ensure that permission is only granted for new buildings where there is adequate vehicular access and parking provided and paragraphs 17 and 64 of the National Planning Policy Framework.

2 It is likely that the proposed dwellings, by reason of siting within close proximity to the listed St. Michaels Church, would have an adverse impact on the site and its surroundings and would therefore be visually detrimental to the site, street scene locality and setting of the adjacent listed building. The proposal would therefore be contrary to Policies OS2 and BE1 which seek to ensure development is visually acceptable, and the NPPF.

3 The proposed new dwelling would be sited in an unsustainable location with poor accessibility to local services, community facilities and frequent public transport. Future occupiers of the development would lack viable transport alternatives and thereby be overly reliant on the use of a private motor vehicle. The proposal would therefore represent an inappropriate and unsustainable form of development that would be contrary to paragraphs 14 and 17 of the National Planning Policy Framework. The identified harm significantly and demonstrably outweighs the proposal's benefits.

Inspectors Conclusion: Dismissed

The application proposed a “low cost” housing development. The main issues were the effect of the proposal upon highway safety, the setting of the Listed Building, St Michael’s Church and locational sustainability. The inspector dismissed the appeal concluding that due to the narrow width of Church Walk, the proposal would be detrimental to highway safety. It would therefore conflict with LP Policy D1 which seeks to ensure that development has a safe connection to the existing highway network. Furthermore, it would not accord with Paragraph 102 of the Framework which indicates that patterns of movement and other transport considerations should be integral to the design of schemes and should contribute to making high quality places.

There would be harm to the setting of St Michael’s Church and therefore to the significance of the building itself. The harm to the heritage asset would be less than substantial. I do not consider that the provision of the dwellings, even if they were specialist accommodation for the elderly, would be a public benefit which would outweigh the harm to the heritage asset. It was therefore concluded that the proposed development would have an unacceptable impact upon the setting of the listed building and therefore upon the street-scene too. Consequently, it would conflict with LP Policy EN13 which seeks to protect heritage assets. It was accepted that there is an identified need for small dwelling sin the Borough as a whole. However, there is no Neighbourhood Plan for Thorpe Satchville itself. Neither is there a community-led strategy which identified such a need. No substantive evidence about housing need in Thorpe Satchville had been submitted. The proposal therefore does not meet this criterion. It was therefore concluded that the proposed dwellings would not represent sustainable development in respect of their location and would conflict with LP Policies SS2 and SS3.

Proposal: 17/01549FUL Proposed erection of 4 no dwellings – Land off Station Road, Bottesford.

Level of decision: Committee

Reasons for refusal:

1 The proposed development would result in an intrusion into an undeveloped area that forms an integral and important element of the Bottesford Conservation Area and setting of the Grade I St Mary's church. This would result in harm to the historic assets of the area, which is not justified by benefits accruing from the proposal. The development is therefore contrary to NPPF chapter 12 Conserving and enhancing the historic environment (paragraphs 132 and 134) and Policy EN13 of the emerging Melton Local Plan (Submission version October 2017).

2 The proposed development would result in an intrusion into an undeveloped area that forms an integral and important element of Bottesford, resulting in an adverse effect on its form and character. The proposals would therefore be contrary to Policy OS1 of the Adopted Melton Local Plan 1999 and Policy EN6 of the emerging Melton Local Plan (Submission version October 2017).

Inspector's conclusions: Allowed – The application proposed the erection of 4 No dwellings. The main issue was the effect of the proposed development on the character and appearance of the surrounding area. The inspector allowed the appeal concluding that in addition to preserving the setting of the Listed Building and maintain the character of Bottesford, the character and appearance of the conservation Area as a whole would be preserved. There would be no harm caused to the significance of these heritage assets. Accordingly, it was concluded that the proposed development would not cause unacceptable harm to the character and appearance of the surrounding area and, as such, it would not conflict with LP policies EN6 and EN13. The inspector further concluded that although sites are proposed for residential development at Bottesford and the Council can demonstrate more than a 5-year supply of deliverable housing land, there are no national or local policies which indicate that other residential schemes should be refused.

Proposal: 18/00004/FUL Detached dwelling. – 58 Baldocks Lane, Melton Mowbray, LE13 1EN.

Level of decision: Delegated

Reasons for refusal: The proposal, by reason of the limited size of the site and the size, siting and scale of the proposed dwelling, would result in the over-development of the site leading to a cramped appearance, unsympathetic to the prevailing character and appearance of the area and would represent an incongruous feature in the streetscene. Consequently, the proposal is therefore contrary to Policies OS1 (a) and BE1 (a) of the 1999 Local Plan, Paragraph 17 and Section 7 of the National Planning Policy Framework 2012 and Policy D1 (a) of the emerging Local Plan which seek to ensure development is sympathetic to the character and appearance of the site and surroundings.

Inspector's conclusions: Dismissed – The proposal was for a detached dwelling at the above address the main issue was the effect of the proposal on the character and appearance of the surrounding area.

The appeal was dismissed with the inspector concluding the appeal proposal would appear bulky and cramped within the appeal site and also result in a short terrace of three dwellings being formed which would appear as an alien feature within an area that is characterised almost exclusively by pairs of semi-detached houses. The proposed dwelling was considered to be a discordant feature and would be harmful to the character and appearance of the surrounding area. The proposal would be contrary to Policy D1 of

the MBLP which seeks to ensure development does not adversely affect the character and appearance of a settlement or its surroundings.

This appeal decision focussed heavily on Policy DI of the Melton Local Plan and is another example of how appeal decisions are moving on from the previous 1999 Local Plan to that of the adopted Melton Local Plan and are supporting the work of the Local Plan through the decisions made.

Proposal: 18/00019/OUT Proposed Outline application for 7 “Entry Level” Dwellings including demolition of existing commercial buildings – Stable Opposite 73 Main Street Grimston.

Level of decision: Delegated

Reasons for refusal:

1 The development is proposed in an unsustainable location where there are little local amenities, facilities and jobs, and where future residents are likely to depend on the use of the car, contrary to the advice contained in NPPF in promoting sustainable development. It is considered that there are no material reasons to depart from the guidance given in the NPPF on sustainable development in this location and would therefore be contrary to the "core planning principles contained" within Paragraph 17 of the NPPF and Policy SS2 of the emerging Local Plan.

2 In the opinion of the Local Planning Authority the proposed dwellings would occupy a relatively detached location outside of the built up confines of Grimston on land that provides part of the rural setting to the village. The introduction of seven residential units would result in the erosion of the rural character and appearance of the open countryside, eroding the clarity of the southern approach to the village by placing a sizable new domestic development which would detract from the open nature of this rural approach, contrary to Policy BE1 of the Melton Local Plan and the NPPF.

Inspector’s conclusions: Dismissed – The application proposed an outline application for seven ‘entry level’ dwellings on brown land site, including demolition of existing commercial buildings. The main issues were the effect of the proposed development upon the character and appearance of the area; and whether the proposed dwellings would represent sustainable development in respect of their location. The inspector dismissed the appeal concluding that the appeal site contains buildings which are currently in commercial use.

However, the buildings are fairly rural in appearance and the site is detached from the built-up area by a field. The introduction of 7 dwellings is likely to increase the amount of built development on the site and erodes its rural character by introducing a fairly dense suburban form of development. They therefore considered that the proposal would represent an unacceptable visual impact upon the countryside, thereby harming the character and appearance of the area conflict was found with LP Policies EN1 and D1 which seek to ensure a good design and protect landscape character and landscape settings. The proposal was for “entry level” dwellings and it was accepted that there is an identified need for small two-bedroom dwellings in the Borough as a whole. However, there is no Neighbourhood Plan for Grimston and no community-led strategy which identifies a need for such dwellings in Grimston itself.

No substantiated evidence about housing need in Grimston was presented to the inspector and the proposal did not therefore meet this criterion. In addition LP Policy SS3 requires that development should be served by sustainable infrastructure or provide new infrastructure or services to the wider benefit of the settlement. No such infrastructure or services are proposed. The proposed dwellings would not therefore represent sustainable development in respect of their location. The development would therefore conflict with LP

Policies SS2 and SS3.

Proposal: 18/00207/OUT 3 bedroom detached dwelling – 49 Valley Road, Melton Mowbray, LE13 0DU

Level of decision: Delegated

Reasons for refusal: The proposed dwelling, by reason of the limited size of the site and position in the street scene, would result in a cramped form of development. The proposal would not be sympathetic to the open plan character and appearance of streetscene and wider residential estate. As such the proposal is considered contrary to saved policies OS1 and BE1 of Melton Local Plan 1999, Policy D1 of the emerging Local Plan and Paragraph 64 of the NPPF, which seek to ensure development is sympathetic to the site and surroundings.

Inspector's conclusions: Allowed – The main issue was the effect of the proposal on the character and appearance of the street-scene and wider area. The inspector allowed the appeal concluding that there would not be harm to the character and appearance of the street-scene and wider area and found that the proposal would make a positive contribution to the street-scene subject to acceptable reserved matters and as such would add to the overall quality of the area and Policy D1 of the LP, which seeks development sympathetic to the layout and character of the area. The inspector also found that the proposal would accord with Policy SS1 of the LP which seeks development that would meet the general presumption in favour of sustainable development.

Proposal: 18/00469/FUL Conversion of number 5 to create a separate dwelling – Daliegh Cottage, 5 Main Street Scalford, LE14 4DP.

Level of decision: Delegated

Reasons for refusal: The proposed creation of an additional one bedroom dwelling would be unacceptable by reason of the inadequate amenity space for the occupiers of the additional dwelling which would be oppressive due to the limited size, depth and boundary treatment and which would be overlooked by a bedroom window from no.5. Therefore, the proposal would have a poor standard of outdoor amenity for the future occupants of the dwelling. Consequently, the proposal is contrary to Policy OS1 and BE1 of the Local Plan, Policy D1 of the emerging Local Plan which seeks to ensure a satisfactory level of amenity for occupants and Paragraph 127 of the National Planning Policy Framework 2018.

Inspector's conclusions: Allowed – The application proposed the conversion of number 5 to create a separate dwelling. The main issue was whether the dwelling provides satisfactory living conditions for its occupants in respect of the provision of private external amenity space. The inspector allowed the appeal concluding that the decision notice says that the amenity space is overlooked by a bedroom window of the adjoining property, No 5. However, the window is to a landing and at the time of visiting was obscurely glazed. Therefore, there is no overlooking of the rear yard of the appeal site from this window.

A hedge and trellis will provide adequate screening between the appeal yard and that of No 5. As the height of the hedge is within the control of the occupier, it was not considered that this form of boundary treatment is oppressive to look onto from within the house or the yard. The yard area is small, however, the dwelling is also very small and has just one bedroom so it is unlikely that it would be inhabited by a family. The rear yard accommodated some plants, garden furniture and a small barbeque. There is also enough room to dry some washing. It therefore considered that the amount of external space is adequate for a one bedroomed house.

The inspector concluded that the dwelling provides satisfactory living conditions for its occupants in respect of the provision of private external amenity space. No conflict was

found with LP Policy D1 which seeks to protect residential amenity.

Proposal: 18/00703/FUL Proposed Change of use of former airfield runway to open storage (B8) use– Saltby Airfield, Skillington Road, Sproxton.

Level of decision: Delegated

Reasons for refusal: The proposed development would be inappropriate development within the countryside and would be akin to an industrial use within a rural location. The development would have an unacceptable adverse impact on the immediate and wider landscape by virtue of its use, scale, design and form. The benefits of the scheme are not considered to outweigh the harm of the development on the character of the area. As such, the proposal is considered to conflict with the requirements of 'emerging' policy EN1 of the Melton Local Plan and the requirements of the National Planning Policy Framework.

Inspector's conclusions: Dismissed – The application proposed change of use of the former airfield runway to open storage (B8) use. The Main issue was the effect of the proposed development upon the character and appearance of the countryside. The Inspector dismissed the appeal concluding that the proposal would have an adverse impact upon the character and appearance of the countryside conflicting with MLP Policy EN1 which seeks to ensure that new development is sensitive to its landscape setting.



Melton
Borough
Council

Planning Committee

Date : 30th May 2019

Report of: Assistant Director of Strategic
Planning and Regulatory
Services

PLANNING COMMITTEE : PROGRAMME OF TRAINING

1.0 Summary:

1.1 The purpose of the report is to seek agreement for the arrangements for ongoing training for Committee Members in 2019/20

2.0 Recommendations

2.1 It is recommended that training is provided on the following format and topic base:

DATE	TOPIC
11 th and 28 th May 2019	Detailed training on Planning law and procedures, and probity issues.
September 2019	Law and Policy update (national and local); Housing Delivery Test and 5 year land supply : implications for decision making
December 2019	Specialist Training (e.g. securing goo design) – external provider
March 2010	Review of decisions and development outcomes (including visits and analysis of appeals)

3.0 Report Detail

3.1 Members will be aware that training is a regular feature of the role of the Committee, regarded as important in order to remain up to date on law and policy requirements but also to reflect on our decision making, its effectiveness and quality, and most importantly, the resultant outcomes.

3.2 Though training has been approximately quarterly, the recently received Planning Review recommended a formal programme of training be developed to ensure its reliability and relevance to key areas of interest/concern.

3.3 It is intended that the training will be linked to arrangements for Committee meetings in the months shown, e.g. associated with meetings already arranged and/or their preparatory site inspections.

4.0 Consultation and Feedback (including Scrutiny Committee)

4.1 No consultation has been carried out.

5.0 Next Steps

5.1 The next steps are administrative in nature – establishing the dates and making the necessary arrangements.

6.0 Financial Implications

6.1 There is a modest financial implication in connection with the provision of education by external suppliers. However this should be able to be met from existing budgets.

7.0 Legal and Governance Implications:

7.1 The training is intended to assist with good Governance, ensuring that decision making is made on a sound and up to date knowledge base, is effective and is delivering quality decisions.

8.0 Equality and Safeguarding Implications:

8.1 No Equality or Safeguarding implications have been identified.

9.0 Community Safety Implications:

9.1 No Community Safety implications have been identified

10.0 Other Implications

10.1 No wider implications have been identified

11.0 Risk & Mitigation:

11.1 Identify what the risk is and how you will mitigate this risk.]

11.2

L I K E L I H O O D	A	Very High				
	B	High				
	C	Significant		1		
	D	Low				
	E	Very Low				
	F	Almost Impossible				
			Negligible 1	Marginal 2	Critical 3	Catastrophic 4
			IMPACT			

Risk No	Risk Description
1	Decision making based on out of date understanding of key issues, eg. Implications of HDT or 5 year land supply shortfall

Background Papers:
None

Appendices
None

Report Timeline:
Assistant Director Sign Off: 20 th May 2019

Exempt Reports
N/A

Date of Review to make public (Exempt Reports only)
N/A

Report Author & Job Title
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