



Proposal: 24/00667/FUL Hybrid application for redevelopment of the Stockyard site comprising:

Full permission for Phase 1: 4 new buildings to include the Anchor Building, Food Production Hubs 1, 2, and 3 (Use Class E and Sui Generis), refurbishment of disused building on Nottingham Road for Use Class E and Sui Generis, creation of toilet facilities, creation of multi-purpose events space and car park, improvements to pedestrian and vehicular access and demolition of lean-to building at Exhibition Hall and Banqueting Suite

Outline consent for Phase 2: refurbishment of Exhibition Hall, Banqueting Suite and Trader Hall, creation of food production units (Class E) within the Trader Hall and single storey extension to Banqueting Suite for Class E use.

Site: Stockyard, Scalford Road, Melton Mowbray

Applicant: Melton Borough Council

Planning Officer: Ms Amy Smith

Report Author:	Amy Smith , Planning Development Officer
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Corporate Priority:	Delivering sustainable and inclusive growth in Melton
Relevant Ward Member(s):	Councillors Pip Allnatt and Mike Brown
Date of consultation with Ward Member(s):	25 July 2024
Exempt Information:	No

Reason for Committee Determination:

The application is submitted by or on behalf of Melton Borough Council for its own development.

Web Link:

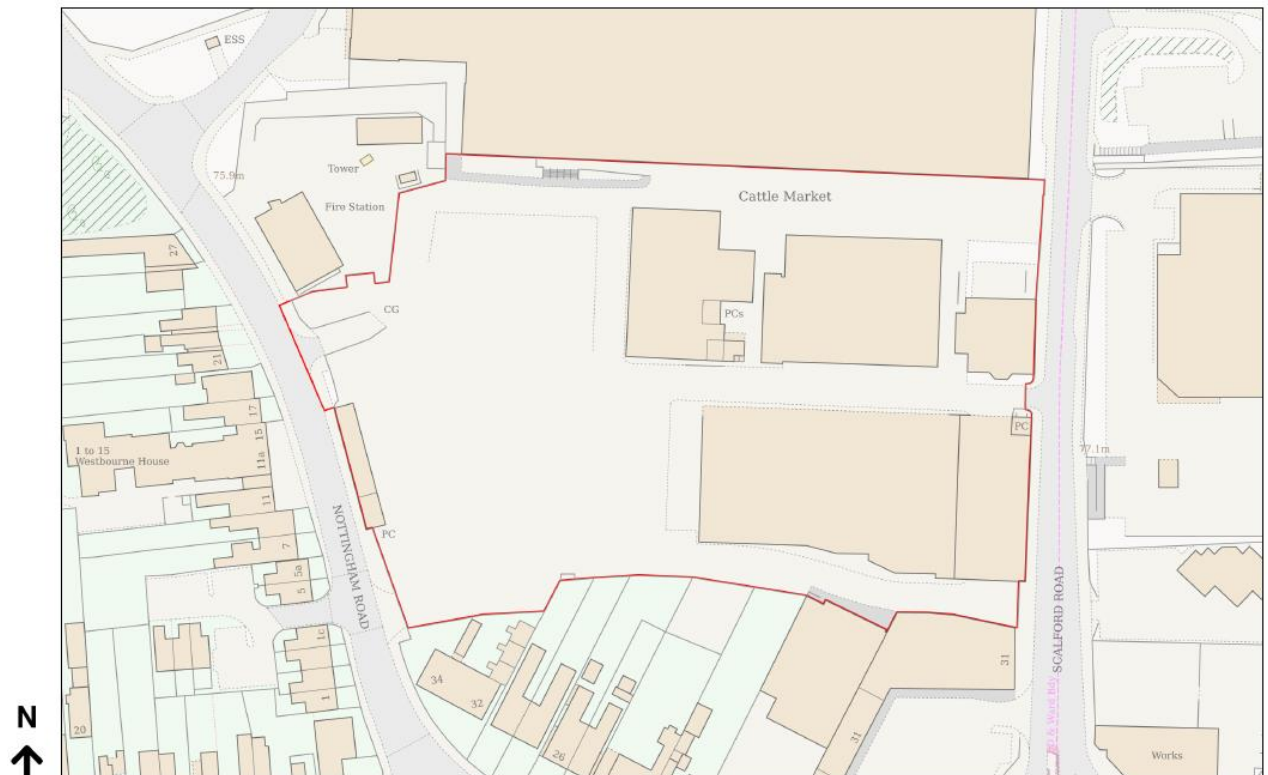
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RECOMMENDATION(S)
<p>It is recommended that the Planning Application be APPROVED subject to;</p> <ol style="list-style-type: none"> 1. Conditions, as listed in detail at Section 10 of this Report 2. Section 106 Agreement Tunder the Town and Country Planning Act 1990 (as amended) securing the following: <ul style="list-style-type: none"> • Travel Packs, one per employee. Packs can be supplied by LCC at £52.85 per pack. If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which will involve an administration charge of £500 • Six month bus passes, one per employee (one application form to be included in Travel Packs and funded by the developer). Passes can be supplied through LCC at an average of £510.00 per pass.

1 Executive Summary



- 1.1 The application is submitted as a hybrid planning application, where full planning permission is sought for certain elements of the scheme and the remaining elements are sought for outline permission only.
- 1.2 Full planning permission is sought for Phase 1 of the proposed redevelopment of the Stockyard site. Phase 1 would comprise the erection of four new buildings to include the Anchor Building, Food Production Hubs 1, 2, and 3 and the refurbishment of the disused building on Nottingham Road. Phase 1 would also comprise the creation of a multi-purpose events space and car park, as well as improvements to public facilities, pedestrian and vehicular access and demolition of an existing lean-to building located at the Exhibition Hall and Banqueting Suite.
- 1.3 Outline planning permission is sought for Phase 2, which would comprise; the refurbishment of the Exhibition Hall, Banqueting Suite and Trader Hall, creation of food production units within the Trader Hall and single storey extension to the Banqueting Suite.
- 1.4 The use of all proposed development would fall under Use Class E or Sui Generis for food production and manufacturing, and multi-functional events.
- 1.5 The application sets out that £11million of investment was secured by the Borough Council as part of the wider Levelling up Fund in January 2023.
- 1.6 It is considered the proposed development is in a suitable and sustainable location and would enhance the existing use of the Stockyard site. It is demonstrated through the supporting documents to the application that the proposed development would maximise social and economic opportunities, alongside environmental benefits, to the benefit of Melton Mowbray and the wider Melton Borough.
- 1.7 The proposed development therefore accords with the Development Plan for the area, comprising the Melton Local Plan, and the National Planning Policy Framework.

Main Report

2 The Site

- 2.1 The application site is located approximately 70m to the north of the boundary of Melton Mowbray town centre, within an area comprising a mix of industrial, retail and residential uses.
- 2.2 The site area is 1.75ha. The site itself comprises a number of industrial shed type buildings and a large area of hardstanding which is primarily used for informal car parking.
- 2.3 The site's current use is predominantly related to the livestock market and associated services, however the site is known to have supported various commercial activities including those of third party businesses who lease the existing units at the site, as well as festivals and private functions. Due to this, there is no generic Use Class across the site; instead there are elements of Sui Generis, Use Class B2 (brewery) and Class E (business).
- 2.4 The site lies between Nottingham Road (A-Classified) to the west and Scalford Road (C-Classified) to the east. Both roads are subject to a 30mph speed limit.
- 2.5 There are five existing gated vehicular accesses into the site; two located at Nottingham Road and three at Scalford Road
- 2.6 The nearest residential properties are located to the immediate south and west of the site, on Park Road and Nottingham Road respectively.
- 2.7 Melton Mowbray Conservation Area adjoins the site to the southern boundary (partially encroaching into the site), and there are a number of Grade II Listed Buildings to the south of the site, most notably 32/34 Park Road.

3 Planning History

Planning History		
Reference	Description	Decision
96/00634/FUL	Proposed portal framed building covering part of the finished cattle penning.	Approved 10 th March 1997
97/00370/TEMP	Proposed car boot sales every Sunday and Bank Holiday Mondays.	Approved 5 th August 1997
00/00531/VAC	Proposed 'Car Boot' Sales Market within the secure area at the market on Sundays and Bank Holiday Mondays	Approved 12 th October 2000
02/00510/COU	Proposed use of former sheep shed and former calf and rearing sheds for exhibition hall (D1) and dance concert hall (D2)	Approved 5 th March 2004
05/00226/FUL	Use of exhibition hall (1 and 2 as dance and concert venue (02/00510/COU)	Approved 9 th May 2005
05/00317/COU	Use of land for car boot sales.	Approved 21 st September 2005
05/00769/VAC	To extend the hours of operation to 12 midnight on Friday and Saturday (excluding Religious holidays) from 11pm as permission 05-00226-FUL at the Exhibition Halls.	Approved 2 nd November 2005

06/00583/VAC	Variation of condition 2 for planning approval 05/00769/VAC to extend hours 0230 on Monday to Saturday inclusive and to 2400 on Sundays/Bank Holidays.	Approved 10 th August 2006
15/00576/FUL	Alterations to Melton Mowbray Market to form new livestock building and associated facilities	Approved 1 st February 2016
16/00004/FUL	Creating a temporary access for the Cattle Market. Works include widening an existing access. Demolition of a small lean to brick building (3m x 4m)	Approved 11 th March 2016
17/01044/FUL	Use of site of former cattle market as a new temporary car park.	Approved 16 th April 2018
18/00324/COU	Change of Use from cattle market (Sui Generis) to Brewery (B2) and installation of flues	Approved 14 th May 2018
21/00475/FUL	Subdivision and change of use of 'fur and feather building' (Sui Generis) to create two Use Class E commercial units to include ancillary sales and tasting areas per unit. Internal alterations in association with the sub-division.	Approved 12 th November 2021
22/01073/FUL	Siting of 6(No.) modified shipping containers for food preparation and sales (Class E: Business)	Approved 1 st December 2022

4 Proposal

4.1 The application is split between Phase 1 for full planning permission, and Phase 2 for outline permission.

4.2 Phase 1 comprises;

- Erection of Anchor Building, to the western edge of the site on Nottingham Road, which would be the visual focal point of the development. A three storey building with a maximum height of 11.95m, for manufacturing, production and educational uses. The external elevations of the building would be finished with copper sheet cladding and timber cladding.
- Erection of Production Hub 01 would be located to the north-western area of the application site. The building would provide for five units; four units of a maximum of 145m² of internal floorspace, and one larger unit of a maximum of 263m². The building would be two storey allowing for an optional mezzanine level at first floor to maximise floor space for the five units. The external elevations of the building would be finished with corrugated cladding to the walls and roof. Photovoltaic panels are also proposed to be fitted to the roof.
- Erection of Production Hub 02 would form an extension of the existing Trader Halls building, situated centrally within the site near to the southern boundary. The building would allow for a maximum of three units; two with a maximum floor area of 131.5m², and a larger unit allowing for a maximum area of 230.5m². As with Production Hub 01, all three units at Production Hub 02 would allow for the installation of a mezzanine if necessary to the end user. An outdoor seating area is defined to the front of the proposed building by a steel frame structural design feature which mirrors the scale of the proposed building. The maximum height of the dual pitched Production Hub 02 would be 9.1m to the ridge. The external elevations of the building would be finished with

corrugated cladding to the walls and roof. Photovoltaic panels are also proposed to be fitted to the roof.

- Erection of Production Hub 03, would be located to the south-western corner of the site, adjacent to the southern boundary adjoining the rear of 32/34 Park Road. A single storey building with a predominantly flat roof design to a maximum height of 5.2m. The layout of the building allows for up to six units, ranging in floor area from 27.2m² to 82.15m². The external elevations of the building would be finished with corrugated zinc roofing and vertical timber cladding to the walls.
- Development of 'Festival Square', a multifunctional space for large-scale events, and formalisation of the car parking area,
- Refurbishment of units along Nottingham Road to the west of the site – an existing single storey red brick building currently vacant. Improvements to the exterior of the building would be carried out with materials to match the existing appearance. The building would provide three studio units, ranging from 27.9m² to 40.8m² alongside accessible toilet and changing facilities.
- New public toilet facilities would be constructed as a single storey extension to the Fur and Feather building, to the immediate west to the Exhibition and Events Hall. The demolition of an existing lean-to building at the Exhibition and Events Hall would create a clear passage between the buildings, and expose a heritage gable wall.
- Improved pedestrian entrance from Nottingham Road (Gate 9),
- Improved vehicular access from Nottingham Road (Gate 8),
- Improved public realm throughout the site, including the resurfacing of the site in high-quality tarmac and the pedestrianisation of the eastern section of the site from Scalford Road.

4.3 **Phase 2 comprises;**

- New single storey units along northern edge of the Banqueting Suite,
- Improvements to the layout, access and facilities at Exhibition and Events Hall and Banqueting Suite,
- Improvements to thermal performance of existing building to allow their flexible use.

4.4 Due to the nature of the development, all highways related matters and drainage details are proposed in detail to be determined at this stage.

4.5 The existing five accesses into the site would be utilised. Gate 1 from Scalford Road would form the main pedestrian access into the site, and Gates 2 and 3 from Scalford Road would remain in their current operation as a 'drop-off' for light good vehicles only. Gate 8 from Nottingham Road would form the main vehicular access into the site, and Gate 9 from Nottingham Road would be pedestrian access only.

5 **Amendments**

5.1 The applicant submitted revised plans in December 2024 which proposed minor revisions to the design of a number of the proposed buildings and public realm, including the Anchor Building, Production Hubs 1 and 3, parking provision and landscaping.

6 **Planning Policy**

6.1 **National Policy**

6.1.1 National Planning Policy Framework (NPPF) (December 2024)

6.2 **Melton Local Plan**

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

6.2.2 The Local Plan is consistent with the National Planning Policy Framework and whilst it is now being updated, its policies remain relevant and up to date for the determination of this application.

6.2.3 Policy SS1 – The Presumption in Favour of Sustainable Development

6.2.4 Policy SS2 – The Development Strategy

6.2.5 Policy C9 – Healthy Communities

6.2.6 Policy EC1 – Employment Growth in Melton Mowbray

6.2.7 Policy EC4 – Other Employment and Mixed-Use Proposals

6.2.8 Policy EC5 – Melton Mowbray Town Centre

6.2.9 Policy EC8 – Sustainable Tourism

6.2.10 Policy EN2 – Biodiversity and Geodiversity

6.2.11 Policy EN6 – Settlement Character

6.2.12 Policy EN8 – Climate Change

6.2.13 Policy EN9 – Ensuring Energy Efficient and Low Carbon Development

6.2.14 Policy EN11 – Minimising the Risk of Flooding

6.2.15 Policy EN13 – Heritage Assets

6.2.16 Policy IN2 – Transport, Accessibility and Parking

6.2.17 Policy IN3 – Infrastructure Contributions and Community Infrastructure Levy

6.2.18 Policy D1 – Raising the Standard of Design

6.3 **Neighbourhood Plan**

6.3.1 There is no Neighbourhood Plan relevant to the area.

6.4 **Other**

6.4.1 The Council adopted the Design of Development SPD on 24th February 2022. The SPD was prepared to primarily support the implementation of Policy D1 to raise the standard of design in new development.

6.4.2 The Local Planning Authority has a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings and their setting, and any features of special architectural or historic interest which they possess, and to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas under Section 72(1) of the same Act. Considerable weight should be applied to these duties even in cases where any identified resultant harm would be less than substantial.

7 **Consultation Responses**

7.1 **Summary of Technical Consultation Responses (most recent first)**

7.1.1 LCC Highways

- a) (15/01/2025) The Local Highway Authority [LHA] Advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 116 of the National Planning Policy Framework (2024), subject to the conditions and/or planning obligations outlined in their report.

The proposed pedestrian access at Gate 9 is to be 2m in width, with an inward opening gate and hardbound surfacing. This is acceptable to the LHA, who also recommend a condition to secure the reinstatement of the footway and full height kerbs.

The Designers Response to the Road Safety Audit has been submitted. The LHA generally agree with the recommendations of the Designers Response and note that the highway safety proposals can be dealt with via the Section 278 detailed design process. It is recommended a condition to ensure the proposed raised table for pedestrian crossing at Gate 8 is kept available for the use of pedestrians using Nottingham Road.

The Applicant submitted a revised Proposed Site Access Layout for Gate 8, and the LHA note that whilst the corner radii does not meet Highway Design Guide standards, on balance owing to site constraints, the LHA consider the access arrangements to be acceptable. Appropriate visibility splays at the access can be achieved, and will be secured by way of planning condition.

Whilst the swept path analysis for a legal HGV of 18.55m is not demonstrated as achievable, the Applicant has suggested that the site traffic management plan will prohibit the use of low loader vehicles entering the site and can ensure the maximum vehicle length is 16.5m. It is also suggested by the Applicant that HGV arrivals on site would be infrequent. To allow the LPA to determine the application, the LHA will seek to secure a delivery and site traffic management plan by way of planning condition.

The swept path analysis for fire appliances is acceptable. However, the swept path analysis for refuse vehicles shows that the vehicle body overhangs the footway on Nottingham Road, giving rise to highway safety concerns. To allow the LPA to determine the application, the LHA will seek to secure a refuse collection strategy by way of planning condition.

The swept path analyses for Light Vehicles and Standard Design Vehicle have been updated, and are now acceptable to the LHA.

The swept path analyses submitted show the internal layout of the proposed development for the safe movement of various vehicles is acceptable, and can be managed through a delivery and site traffic management plan.

A Car Park Management Plan is required to be secured and implemented by way of planning condition or obligation.

Whilst no further details relating to cycle parking have been submitted, the LHA is content to secure this provision by way of planning condition.

No further justification has been provided by the Applicant to justify the removal of LHA's request for planning obligations to secure bus passes and travel packs for

employees of the proposed development. As such, the LHA will seek to secure the provision of packs and passes.

The Construction Traffic Management Plan has been updated and submitted by the Applicant. The revised CTMP is acceptable to the LHA, who seek to secure the implementation by planning condition.

The LHA is now satisfied that a safe and suitable site access for all users has been demonstrated, in accordance with Paragraph 115 of the National Planning Policy Framework (2024). Whilst it does remain that matters relating to HGV and refuse vehicle access, cycle parking and a car park management plan, require further detail, the LHA is satisfied that this can be secured by way of planning condition.

11 conditions are recommended, including; implementation of pedestrian and vehicular access arrangements, visibility splays, hard surfacing of access, no gates to be erected within 15m of highway boundary, closure of Gate 9 for vehicular traffic, implementation of the Parking Layout Plan, details to be secured for cycle parking, Car Park Management Plan, Delivery and Site Traffic Management Plan and refuse collection strategy, and implementation of Construction Traffic Management Plan.

- b) (06/01/2025) The Local Highway Authority [LHA] does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required. Without this information the Local Highway Authority is unable to provide final highway advice on this application.

The Transport Assessment sets out the existing and proposed uses of the accesses at the site. The key difference between the nature of the existing and proposed uses is in relation to Gate 9, which is proposed to be used for pedestrian access only. However, no detail relating to the gate or surfacing appears to have been submitted. Details shall be submitted, or alternatively a condition can be used to secure the relevant matters.

The carriageway width and visibility splays shown on the Proposed Site Access Layout for Gate 8 is acceptable. However, the corner radii do not meet Highways Design Guidance standards. A satisfactory Designer's Response and revised proposals are required to be submitted to address the three problems identified in the Road Safety Audit.

Various concerns are raised with the submitted swept path analyses including; the overhanging of vehicles onto the footway, and the use of recommended standard vehicle lengths should be used.

Matters are also raised by the LHA which should be considered as part of the Section 278 Agreement by the applicant.

The LHA is satisfied that there have been no cluster sites identified within the 500m study area for Personal Injury Collisions, and agrees with the conclusions of the Transport Note that there is no evidence to suggest that the development proposals would exacerbate the likelihood of further incidents occurring.

The submitted Transport Note includes a revised assessment of the existing trip generation of the site, it is not unreasonable to assess the existing use using the TRICS database based on the extant permitted use of the site. The development proposal is calculated to result in an additional 55 and 84 two-way trips in the AM and PM peak periods respectively. In terms of junction capacity assessment of the site access junction, the LHA are satisfied that the junction would operate well within capacity.

In terms of junction capacity of the existing network in close proximity of the site, the proposed development is considered to operate within the capacity of Junctions 1, 3, 4 and 5. At Junction 2 (Nottingham Road/Asfordby Road signalised crossroad), the impact of the proposed development is considered to be negligible and no mitigation would be considered reasonable.

In terms of internal layout and proposed parking provision, 100 car parking spaces are proposed. The LHA does note the town centre location of the site and the comprehensive package on existing on-street parking controls within the area. The LHA does not consider that it could demonstrate that the shortfall of parking provision would result in severe harm to the highway network commensurate with paragraph 116 of the NPPF (2024). It would therefore be unreasonable to seek to resist the proposals on this basis.

Minor alterations are required to accommodate two-way movements of large cars within the site to ensure free-flowing movement of vehicles.

The Applicant has proposed a Car Park Management Plan for the consideration the LHA, however no Plan has been submitted. The LHA will seek to secure the submission and implementation of a CPMP by way of planning condition.

The originally Proposed Site Plan included acceptable cycle parking provision, however the revised plan no longer details cycle storage facilities. This should be amended and submitted.

The LHA seek to secure the provision of Bus Passes and Travel Packs via a S106 Agreement.

The proposed pedestrian use at Gate 8 should be clarified as suggested in the Construction Traffic Management Plan [CTMP]. The number of estimated vehicle movements provided in the CTMP is welcomed, however, the Applicant is requested to confirm the swept path analysis of the largest vehicle expected to access the site to be undertaken.

The LHA would welcome additional detail to be provided in the CTMP, including the information to be provided to contractors in advance and a commitment to ensure that construction vehicles will not park within the public highway. A revised CTMP is therefore required.

- c) (01/10/2024) The Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required. Swept path analysis, detailed access drawings, Stage 1 Road Safety Audit and the Designer's Response are required to be submitted.

Further consideration is required to be given to highway safety in a wider study area of 500m of the site.

The applicant has undertaken traffic surveys in March 2024, which noted 42 two-way movements in the AM peak period and 23 two-way movements in the PM peak period. The proposed development would result in an increased trip generation to 52 two-way trips in the AM peak period and 51 two-way trips in the PM peak period. The LHA considered the proposed trip generation is low given the range of proposed land uses within the application site. However, further justification is required to support the trip generation proposed in particular reference to industrial and café users. It is not reasonable to assume that all retail trips will be pedestrian or linked trips.

Further assessment or justification for junction capacity should be provided.

The existing parking arrangements on site allows for 142 parking spaces, which is stated to be underused. It is proposed a total of 100 parking spaces would be provided through the redevelopment of the site. In accordance with the LHA's parking standards, 318 standard spaces, 7 accessible spaces and 10 lorry servicing spaces should be provided. The applicant is required to further consider parking and the Car Park Management Plan.

The LHA is satisfied with the over provision of 54 cycle spaces.

The site is well connected by existing footways for pedestrians, bus stop provision and rail provision.

The LHA seek to secure the provision of Bus Passes and Travel Packs via a S106 Agreement.

The CTMP is considered to be generally acceptable, however further consideration of contractor parking is required.

7.1.2 LCC Archaeology

- a) (18/12/2024) No new comments to make.
- b) (15/08/2024) The proposal will not result in a significant direct or indirect impact upon the archaeological interest of any known or potential heritage assets. We therefore advise that the application warrants no further archaeological action. It is recommended to seek the advice of the specialist Conservation Officer regarding any potential impacts of the development upon the setting and significance of the designed Conservation Area.

7.1.3 LCC Forestry

- a) (09/01/2025) No further observations
- b) (22/08/2024) The arboricultural survey and report relating to trees on and adjacent to the site is satisfactory. The report highlights that of the 20no trees recorded, only 2no trees are within the red line boundary with the remaining trees being adjacent to the site. It is not necessary to remove any trees and the scheme has been designed to ensure all works are sited outside the RPAs of all trees. A tree protection plan should be submitted as a condition to set out the creation of required Construction Exclusion Zones.

Additional tree planting is detailed within the Design and Access Plan and Landscape Plans and are to be planted with the use of cellular underground pits. Depending on the proposed species the underground pits should ensure sufficient soil volumes can be achieved for healthy tree establishment and preferably be linked via a subterranean trench. In terms of selected tree species, I would suggest the species is reduced to use of *Ginkgo biloba* & *Liriodendron tulipifera* to provide a more uniform planting scheme.

7.1.4 LCC Ecology

- a) (06/01/2025) No objection.
- b) (15/08/2024) No holding objections. The Bat Impact Assessment dated August 2023 completed by FPCR is satisfactory. The results of the daytime and nocturnal assessment indicated no presence of roosting bats and therefore protected species do not pose a statutory constraint to the proposed development and no further recommendations for mitigation or enhancements are recommended.

7.1.5 MBC Conservation Officer

- a) (10/09/2024) A highly comprehensive heritage impact assessment has been submitted which more than satisfies the criteria Paragraph 200 of the NPPF. In agreement with the findings of the impact assessment which states there would be neutral or slight impact which would be beneficial to the setting of the nearby listed buildings (32/34 Park Road) and the adjacent Conservation Area. The works are therefore deemed acceptable, in accordance with Paragraph 212 of the NPPF and any identified harm to designated or non-designated heritage assets is to be far outweighed by the public benefits of the proposal in accordance with Paragraphs 208 and 209 of the NPPF.

7.1.6 **Lead Local Flood Authority**

- a) (13/01/2025) It is noted that the 1.7ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low risk of surface water flooding. The proposals seek to discharge at 123 l/s via two geo-cellular attenuation tanks, via the use of permeable paving and green roofs to the onsite Severn Trent surface water system. Since the LLFA's previous response, an email has been received seeking to support the 50% reduction in peak surface water discharge rate from the site. While this is not sufficient to convince the LLFA that no further reduction in discharge rate can be achieved, the LLFA acknowledges that there is sufficient evidence that the proposals can be suitably drained. As the discharge rate and below ground surface water proposals do not impact on what will be fixed as part of any full planning approval, the LLFA is happy for additional detail to support the proposed discharge rate to be provided at a later date as part of a condition discharge. It is recommended that this as agreed with the LLFA prior to any further detailed design being undertaken.
- b) (20/12/2024) Reiterates the response received 04/11/2024.
- c) (04/11/2024) Leicestershire County Council as LLFA advises that the application documents as submitted are insufficient for the LLFA to provide a substantive response at this stage. In order to provide a substantive response, the applicant should seek to further reduce the peak flow rate of surface water discharging from the site in line with the non-statutory technical standards.
- d) (15/08/2024) Leicestershire County Council as LLFA advises that the application documents as submitted are insufficient for the LLFA to provide a substantive response at this stage. In order to provide a substantive response, the following information is required:
- The proposals must seek to discharge at QBar unless it can be adequately demonstrated that it is not reasonably practicable to do so (and agreed with the LLFA).
 - Attenuation volume calculations
 - Consideration of the maintenance and management of all drainage elements

7.1.7 **Environment Agency**

- a) (16/12/2024) No new comments to make and refer to comments made on 15/11/2024.
- b) (15/11/2024) From a water quality perspective, the re-submitted drainage strategy which prioritises separating the surface water and discharging it into a surface water sewer, rather than the combined sewer system, would be acceptable. Therefore, we remove our objection to this application and have no further comments to make.
- c) (14/08/2024) Object as more information is required regarding the potential increase in flow levels within the combined sewer. There are combined sewer overflows on the

sewer system and there are concerns the sewer system may not cope with the extra flows and would therefore discharge outside of the conditions in the permit. Assurance is required, supported by the water company, that this has been addressed.

7.1.8 LCC Minerals

- a) (20/12/2024) There is no requirement to consult the County Planning Authority in this instance. The site is located outside of the mineral safeguarding area.
- b) (17/09/2024) The application site is not located within any safeguarding of mineral or waste safeguarding area. Therefore, the County Council as minerals and waste planning authority, has no objection to the proposed development.

7.1.9 Historic England

- a) (10/01/2025) No comments made.
- b) (29/07/2024) No specific comments to make, suggest consultation with specialist conservation and archaeological advisers for the area

7.1.10 Designing Out Crime Officer

- a) (14/08/2024) No formal objections in principle but general recommendations made, and specific observations made in relation to;
 - i) CCTV and alarm system coverage
 - ii) Lighting to BS5489 at key areas
 - iii) Noted that it is not envisaged that the site would have permeability issues or the potential for increased crime due to the gating at either end
 - iv) Emergency service access is reasonable
 - v) Commercial wheelie bin storage and cycles should be stored in secure areas
 - vi) Foliage should be to a height of no more than 1m and trees are recommended to be trimmed to have foliage no lower than 2m from the ground to provide a 1m clear field of vision

7.1.11 LCC Planning Obligations

- a) (17/12/2024) As the proposal does not contain any component of residential development there will be no further response from LCC Planning Obligations. I presume that you have separately consulted LCC Highways as the local highway authority, and their response will set out any highways/transport related contributions that may be required.
- b) (25/07/2024) Confirmation that the development does not meet the thresholds for consultation as it does not contain residential dwellings

7.1.12 Active England

- a) (17/12/2024) In relation to the above planning consultation, Active Travel England (ATE) has no comment to make as it does not meet the statutory thresholds for its consideration.

7.1.13 Environmental Health

- a) (09/09/2024) Given the nature of the proposed external/internal plant and extraction systems, it is recommended a BS4142:2014+A1:2019 assessment is carried out to

determine the potential noise impact on nearby sensitive receptors and for noise rating levels to be set.

An odour assessment should be conducted with the development including food production hubs.

A phased contaminated land assessment is essential due to the site's prior use.

It is important to assess the presence of asbestos-containing materials in the existing structures and outline the required controls for their safe management and removal.

The lighting assessment submitted is acceptable and should be secured by condition.

- b) (06/09/2024 – in relation to Food only) All food production and retail units must comply with the relevant food safety legislation, including the Food Safety Act 1990, Food Hygiene (England) Regulations 2013 and associated guidance under the Food Standards Agency. It is recommended the developer is advised to consult with Environmental Health regarding layout and internal materials.

7.2 **Summary of Representations**

7.2.1 **Ward Member(s)**

- a) No comments received.

7.2.2 **Neighbours**

7.2.3 5 comments were received objecting to the proposed development from 5 households, 10 comments were received in support of the proposed development from 10 households, and 6 neutral comments were received from 6 households. The comments are summarised below:

- a) Welcome any form of investment to help improve Melton's offering and if managed correctly, the Stockyard can benefit the rest of the town centre and vice versa.
- b) Existing businesses at the Stockyard should be encouraged to expand
- c) The public consultation took place in May, but the announcement of the additional £2million funding did not take place until July.
- d) Proposed digital boards to promote local events is not used correctly, or some local businesses were unaware of Discover Melton as a promotional tool.
- e) How will the applicant's measure the benefits to the rest of the town centre once the Stockyard is upgraded?
- f) There is a disconnect between visitors to the Stockyard and businesses in the town centre
- g) Welcome the upgrades to the toilet facilities
- h) WiFi should be improved
- i) The development should be carried out alongside other groups in the town including the Town Estate, Town Centre BID team.
- j) Loss of Melton Theatre
- k) Money should be invested in the Town Centre
- l) Supports the need for a market in a Market Town

- m) Will increase footfall in town centre
- n) Development should not be used as an excuse to demolish history
- o) Waste of money for a part time use
- p) Do not agree with the proposals – the purpose of the site is to sell livestock and hold events like Pie Fest without the need for an overhaul
- q) Do not believe that the development will encourage visitors to Melton Mowbray
- r) Melton is known for food and it's great to use historic cattle market to celebrate and invest
- s) Gilstream Markets Ltd has transformed the livestock market with the help from MBC, and it is now a nationally recognised centre of excellence
- t) As the retail impact assessment shows, the impact of existing businesses is negligible and far outweighed by new business brought in to the benefit of the town
- u) Connectivity with the town centre is important
- v) Why does Anchor Building have classrooms for education? This building should have more purpose to the users of the site or community.
- w) Why does the site need another café?
- x) The use of Production Hubs 1/2/3 is suggested to allow carpentry, which is not a food use.
- y) Lack of solar and wind energy generation proposed
- z) Opening hours of units
- aa) Lack of parking provision on site
- bb) Noise nuisance to neighbours when events are on

7.2.4 One petition signed by 58 residents was also received from a residents' group raising concerns of highway safety for pedestrians on Scalford Road, sufficient car parking facilities and the increase to the amount of traffic using Scalford Road.

7.3 **Response to Consultations and Representations**

7.3.1 Although it is acknowledged that the application is submitted by Melton Borough Council for land within its own Borough, the role of the Local Planning Authority sits separately to that process. The role of the planning system is to assess the use and development of land and buildings in accordance with the Town and Country Planning Act 1990.

7.3.2 There are a number of matters raised in comments received by the public that would not be considered as part of the assessment of the application. For example, investment and where investment money is spent is not a planning consideration. Management of the proposed use and promotion of local events is also not a planning consideration. The measurement of benefits and performance indicators of the development once in operation cannot be managed through the planning system.

7.3.3 Impact upon and physical connectivity to the town centre is discussed in the Planning Analysis below.

7.3.4 Parking and highways impact and impact to local residents' amenity is considered in the Planning Analysis below.

8 Planning Analysis

8.1 Main Considerations

- 8.1.1 Principle of Development
- 8.1.2 Impact upon Melton Town Centre
- 8.1.3 Highways
- 8.1.4 Flooding and Drainage
- 8.1.5 Design
- 8.1.6 Impact on Residential Amenity
- 8.1.7 Heritage
- 8.1.8 Ecology and Trees

8.2 Principle of Development

- 8.2.1 Policy SS1 of the Melton Local Plan states that planning applications that accord with the policies of the Local Plan will be approved without delay, unless material considerations indicate otherwise. Policy SS1 echoes the presumption in favour of sustainable development which is set out at Paragraph 11 of the NPPF.
- 8.2.2 Policy SS2 of the Melton Local Plan sets out the spatial strategy for the Borough, and identifies Melton Mowbray Main Urban Area as the priority location for growth in the Borough. Development in this location is expected to contribute positively to the provision of key infrastructure, including traffic relief in the town, to support its growing population and economy.
- 8.2.3 Whilst the application site is not formally allocated in the Melton Local Plan as an employment site, the proposed mixed use development including the expansion of Use Class E (Commercial, Business and Service) and introduction of proposed Sui Generis uses is important in the assessment of the proposals in the context of the employment policies of the Local Plan.
- 8.2.4 Policy EC1 of the Melton Local Plan supports proposals for employment development in Melton Mowbray where the site is located in a location easily accessed by public transport, walking and cycling, and can be easily accessed by service vehicles and the development would provide a mix of Class B employment uses that meet local business and employment needs.
- 8.2.5 Policy EC1 refers to the requirement of a sequential test where town centre uses are proposed.
- 8.2.6 The application site is located at an edge-of-centre location, approximately 70m from the northern boundary of the Melton Mowbray Town Centre. The Planning Statement states “due to the unique nature of the mixed-use offer proposed at the Stockyard, there is little to no opportunities for the uses to be meaningfully located with the Town Centre boundary.”
- 8.2.7 A sequential test exercise is carried out by the Applicant in response to Policy EC1 and Section 7 of the NPPF (Ensuring the vitality of town centres) given the proposed development comprising an element of Use Class E retail provision. The sequential test provided with the Retail Impact Assessment concludes that at the time of preparation, there were no potential alternative sites that would represent a genuine or realistic opportunity to accommodate the proposed development in the Melton Mowbray Town Centre. There is no

clear evidence to dispute the assessment, and the outcome of the sequential test is accepted.

- 8.2.8 In addition to Policy EC1, Policy EC4 of the Melton Local Plan encourages employment and mixed-use development where;
- i) the site is located in a location easily accessed by public transport, walking and cycling, and can be easily accessed by service vehicles;
 - ii) the proposed uses are not more appropriately located in town centres;
 - iii) the mix of uses does not result in an unacceptable impact on residents by reason of noise, disturbance, air quality or other emissions caused by the use of the building or the vehicle movements associated with it;
 - iv) the proposal does not adversely affect land which is of particular significance to the form and character of the settlement; and
 - v) the proposal is of an appropriate scale in the context of the existing settlement.
- 8.2.9 The Planning Statement confirms that the proposed new floorspace created by the development would include 2,440m² of new employment space, with a focus on food production.
- 8.2.10 There are clear opportunities for the redevelopment of the Stockyard site to make an efficient use of land within close proximity of the site to the Melton Mowbray Town Centre. This close proximity of around 70m from the boundary of the Town Centre means there are good access links for visitors to walk, cycle, and use public transport including bus and rail, to access the site.
- 8.2.11 Further to the unique nature of the proposed use of the development, the Stockyard site is located within the vicinity of Melton Mowbray's Cattle Market. There is an opportunity to enhance the existing infrastructure at the Stockyard, which contributes to the branding of Melton Mowbray as the 'Rural Capital of Food'. The application site has an area of 1.75ha, with a large area to the western side of the site utilised for car parking only. The redevelopment of the site for mixed-use development would allow for an efficient use of land at an edge-of-centre location, including the provision of 2,440m² of new employment space.
- 8.2.12 Whilst Policy EC5 of the Melton Local Plan focusses on retail development in Melton Mowbray town centre, given the site's edge of centre location it would be relevant to consider the impact of the proposed Class E uses for food production as it is understood that the proposed food production hubs will include an ancillary element of retail provision for the sale of goods to the public.
- 8.2.13 A retail impact assessment is required with applications where more than 200sqm of retail floorspace is proposed, and to ensure compliance with Policy EC5, the applicant has submitted an assessment with the application.
- 8.2.14 The Retail Impact Assessment sets out that the purpose of the document was to advise the applicant on the maximum quantum of floorspace that can be used for retail within the development, before the proposal starts to affect the vitality and viability of defined centres nearby – most notably Melton Mowbray Town Centre. The Assessment is carried out in accordance with Planning Practice Guidance [Paragraph 018 ID: 2b-018-20190722].
- 8.2.15 It is concluded in the Assessment that the proposed development would have a beneficial impact on the vitality and viability of Melton Mowbray Town Centre, where current issues of

vacant units and lack of footfall exist. It is suggested the proposed development would be a “catalyst for growth” in the Town Centre, helping to attract visitors and generating greater footfall, enhancing dwell times by visitors and bolstering consumer spend in the local economy.

- 8.2.16 There is no clear evidence to dispute the assessment and outcome of the Retail Impact Assessment. It is concluded that the proposed development would have a very low, acceptable impact on Melton Mowbray Town Centre and would result in an overall positive impact on the vitality and viability of it.
- 8.2.17 The use of the site for various events, mainly concentrated around the proposed ‘Festival Square’, would fall within the remits of tourism, visitor and cultural development. Therefore, Policy EC8 of the Local Plan is also relevant. Policy EC8 supports sustainable tourism, visitor and cultural development where they improve facilities for visitors, subject to the proposal being of an appropriate scale in the context of the host settlement, and having benefits to local businesses in creating the potential to generate revenues.
- 8.2.18 Policy EC8 states that development of a ‘significant’ scale should be located firstly in the town centre, then on the edge of centre in accessible locations. Melton Mowbray is a highly sustainable location, and identified as the priority location for growth in Policy SS2. Policy SS2 states the role and sustainability of Melton Mowbray Main Urban Area will be significantly enhanced through new development. As demonstrated by the aforementioned Sequential Test and Retail Impact Assessment prepared by the Applicant, it is considered the location of the proposed development, at an edge of centre location and in such close proximity to Melton Mowbray Town Centre would be a suitable location for this type of development. The proposal would therefore accord with Policy EC8.
- 8.2.19 Further to the above, Policy C9 of the Melton Local Plan seeks to encourage development proposals to make a positive contribution to health and well-being of the local population. The policy makes specific reference to good quality and accessible public realm close to where people live and work, to maximise opportunities for social interaction as a promoter of health and well-being in the Borough.
- 8.2.20 The proposed development would provide improvements to the accessibility and public realm at the existing site, including resurfacing to aid with pedestrian accessibility, promotion of sustainable travel methods and increased provision of cycle parking. Landscape enhancements would positively contribute to the sense of place, and the purpose of the development to enhance the role of the Stockyard site as a ‘food production hub’ allows access to fresh, local produce for visitors.
- 8.2.21 The development would also increase employment opportunities in an accessible location. It is anticipated by the Applicant that the development would generate 100 full time equivalent employees.
- 8.2.22 In addition to the policies of the Melton Local Plan, which as the Development Plan for the Melton Borough is the starting point for decision-makers, Paragraph 92 of the NPPF states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 92 goes on to state that “applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.”

8.2.23 Ultimately, it is considered the proposed development is in a suitable and sustainable location and would provide betterment to the existing use of the Stockyard site. It is demonstrated through the supporting documents to the application that the proposed development would maximise social and economic opportunities to the benefit of Melton Mowbray and the wider Melton Borough, and that there are no potential alternative sites currently available that would represent a genuine or realistic opportunity to accommodate the proposed development in a sequentially preferable location.

8.2.24 It is therefore considered that the principle of the development is acceptable given its sustainable location within the main urban area of Melton Mowbray, and the good connection and close proximity to Melton Mowbray Town Centre. The proposed development therefore accords with Policies EC1, EC4, EC5, EC8 and C9 of the Local Plan.

8.3 Highways

8.3.1 Policy IN2 of the Melton Local Plan seeks for new development to have regard to; locations where travel can be minimised and use of sustainable transport modes maximised, safety and movement of traffic on the highway network and how impacts can be mitigated, and the provision of appropriate and effective parking provision and servicing arrangements.

8.3.2 The Applicant has worked closely with the Local Highways Authority [LHA] to address fundamental highway safety concerns relating to the movement of vehicles entering and exiting the site.

8.3.3 The LHA have confirmed the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.

8.3.4 The main vehicular site access to serve the site would be Gate 8, from Nottingham Road. A public crossing point designed as a raised table is proposed at this access to allow the safe crossing of pedestrians across the wide junction on their route along Nottingham Road. A condition is recommended by the LHA to ensure that no gates, bollards etc. are installed at Gate 8 which would impede the use of the suitable crossing point by the public.

8.3.5 Gate 9, also located at Nottingham Road, is proposed to be available for use for pedestrians only. The LHA have recommended a condition for details of the permanent closure and reinstatement of the footway at Nottingham Road to be provided, agreed by the Local Planning Authority and implemented before the expiration of the first month of occupation.

8.3.6 In terms of on-site parking provision, it is noted by the LHA that there is a shortfall of 25 car parking spaces proposed when considered against the County's Highway Design Guide. However, given the proximity to the town centre which offers various sustainable transport options and public car parks, as well as the comprehensive package of existing on-street parking controls within the area, the LHA have concluded that it could not be demonstrated that the shortfall of parking provision would result in severe harm to the highway network. In accordance with Paragraph 116 of the NPPF, it is advised by the LHA that it would be unreasonable to seek to resist the proposed development for this reason.

8.3.7 It is proposed by the Applicant that the type and size of HGVs accessing the site would be managed through a Delivery & Site Traffic Management Plan to ensure safe manoeuvring of vehicles at the site. This would be secured by planning condition. Servicing areas are proposed to facilitate the proposed buildings as part of the development.

8.3.8 Similarly, the Applicant has also proposed to implement a Car Park Management Plan which will set out how the on-site parking provision will be managed as well as include provision

for the management of the impact of large events, which would take place on the car parking area [Festival Square]. The Car Park Management Plan would be required to be agreed with the Local Planning Authority and secured by planning condition.

- 8.3.9 It is also proposed to secure on-site cycle parking by planning condition.
- 8.3.10 Policy IN3 of the Melton Local Plan sets out that development that provides additional employment premises will be expected to help to deliver sustainable communities by making developer contributions to local infrastructure in proportion to the scale of its impacts.
- 8.3.11 The LHA have advised that planning obligations for bus passes and travel packs for future employees of the development should be secured by Section 106 Agreement. The planning obligations would be required to encourage sustainable travel to and from the site, and reduce employee car use.
- 8.3.12 It is advised that one six-month bus pass shall be provided per employee to encourage new employees to use bus services and to encourage change in travel behaviour from first occupation of the development. The cost is anticipated to be £510 per pass.
- 8.3.13 The travel packs, as advised by the LHA, shall be provided one per employee from first occupation of the development. The Packs shall inform the employees what sustainable travel choices are available in the surrounding area. The packs can be provided by Leicestershire County Council at a cost of £52.85 per pack, or if not provided by the County Council, a sample Travel Pack shall be submitted to and agreed by the County Council with an administration cost of £500.
- 8.3.14 It is considered that the request for these contributions meets the tests as set out by The Community Infrastructure Levy Regulations 2010 (as amended), comprising;
- They are necessary to make the development acceptable in planning terms;
 - They are directly related to the development; and
 - They are fairly and reasonably related in scale and kind to the development.
- 8.3.15 It is considered that the proposed development, subject to the recommended conditions and above planning obligations, would accord with Policy IN2 of the Melton Local Plan which seeks to encourage the use of sustainable transport modes, minimise additional travel demand, ensures the development would not unacceptably impact on the safety and movement of traffic on the highway network, and provide appropriate and effective parking provision and servicing arrangements. In addition, it is considered the encouragement of sustainable travel modes would contribute to the provision and availability of essential infrastructure set out in Policy IN3 of the Melton Local Plan.

8.4 **Flooding and Drainage**

- 8.4.1 Policy EN11 of the Melton Local Plan seeks to ensure that development proposals do not increase flood risk. Policy EN12 of the Local Plan requires major development proposals to demonstrate a surface water drainage strategy to ensure properties will not be at risk of surface water flooding, allowing for climate change effects.
- 8.4.2 The application site is located within Flood Zone 1 with a low risk of fluvial flooding and a low risk of surface water flooding. The proposals seek to discharge at 123 l/s via two geo-cellular attenuation tanks, via the use of permeable paving and green roofs to the onsite Severn Trent surface water system.

- 8.4.3 Concerns were initially raised by the Environment Agency and Leicestershire County Council and Lead Local Flood Authority for the increase in peak flow rates, primarily from surface water drainage.
- 8.4.4 However, following further clarification provided by the Applicant, the Environment Agency are satisfied with the proposed drainage strategy for the proposed development which prioritises separating surface water and discharging it into a surface water sewer, rather than a combined sewer system which would alleviate the concerns of the drainage capacity of the combined sewer system.
- 8.4.5 The LLFA have also confirmed there is sufficient evidence provided by the Applicant that the proposals can be suitably drained, and additional detail to support the proposed discharge rate should be provided at a later date. As such, a pre-commencement condition is attached to the recommendation at paragraph 10.11-10.13, to secure a surface water drainage scheme to the satisfaction of the LLFA.
- 8.4.6 Therefore, considering the confirmation from the Environment Agency and LLFA of their satisfaction that the proposed development can be adequately drained, the proposed development would comply with Policies EN11 and EN12 of the Local Plan.
- 8.5 Design**
- 8.5.1 Policy D1 of the Melton Local Plan requires all new developments to be of high quality design, taking account of siting and layout, respecting local vernacular, appropriate provision for waste storage, sustainable means of transportation, designed to reduce crime, landscaping, safe connection to the highway network, and adequate provision for car parking.
- 8.5.2 The Council adopted the Design of Development SPD in February 2022. The SPD was prepared to primarily support the implementation of Policy D1.
- 8.5.3 The application is submitted in hybrid form, where some elements are being applied for under full planning permission and the remaining elements are for outline permission only, with the remaining details to come forward as reserved matters at a later date.
- 8.5.4 Phase 1 comprises the full planning element, and includes development of a series of new buildings, refurbishment work to existing buildings, public facilities, drainage and surfacing improvements and public realm enhancements.
- 8.5.5 The proposed new buildings include the Anchor Building, Food Production Hubs 1, 2, and 3, the extension to the Fur and Feather building to provide public toilet facilities and the refurbishment of disused building on Nottingham Road. Phase 1 would also comprise the creation of a multi-purpose events space and car park, as well as improvements to pedestrian and vehicular access and demolition of an existing lean-to building located at the Exhibition Hall and Banqueting Suite.
- 8.5.6 The Anchor Building is labelled as the visual focal point of the redevelopment of the Stockyard site. The Anchor Building would be located on the western boundary of the site at Nottingham Road, adjacent to the existing Fire Station. The building would be three-storey to a maximum height of 11.95m with a flat roof incorporating a roof terrace. Its height would be taller than adjacent buildings, including the Fire Station to the north, the residential properties facing the site on Nottingham Road to the west and the Grade II Listed Building at 32/34 Park Road to the south. Its external appearance would comprise timber cladding and copper cladding to the second floor. The original design of the Anchor Building included

a 'green roof', however this has since been omitted and replaced with photovoltaic panels to support sustainable energy generation.

- 8.5.7 Production Hub 1 is a two-storey building with a dual pitched roof to a maximum height of 10.6m. This building would be located to the north-western area of the site, overlooking Festival Square to the south.
- 8.5.8 Production Hub 2 would form an extension of the existing Trader Halls building, centrally located within the site adjacent to the southern boundary. An outdoor seating area is defined to the front of the proposed building by a steel frame structural design feature which mirrors the scale of the proposed building. The maximum height of the dual pitched Production Hub 02 would be 9.1m to the ridge.
- 8.5.9 Production Hub 3 would be located to the south-western corner of the site, adjacent to the southern boundary adjoining the Grade II Listed Buildings at 32/24 Park Road. The single storey building with a maximum height of 5.2m would overlook Festival Square to the north.
- 8.5.10 The refurbishment of the existing units along Nottingham Road to the west of the site. The building is a disused single storey red brick building in need of improvement. Improvements to the exterior of the building would be carried out with materials to match the existing appearance.
- 8.5.11 New public toilet facilities would be constructed as a single storey extension to the Fur and Feather building, to the immediate west to the Exhibition and Events Hall located centrally within the application site. The demolition of an existing lean-to building at the Exhibition and Events Hall would create a clear passage between the buildings to allow for easier pedestrian accessibility, and expose a heritage gable wall.
- 8.5.12 The creation of 'Festival Square', to serve as a multifunctional space for large-scale events, and formalisation of the car parking area.
- 8.5.13 Various public realm improvements throughout the site, including landscaping, the resurfacing of the site in high-quality tarmac and the pedestrianisation of the eastern section of the site from Scafford Road.
- 8.5.14 The layout of the proposed development primarily utilises undeveloped areas within the application site, which currently serve no purpose other than informal parking arrangements when needed. The proposal would make efficient use of the land available at the Stockyard site, alongside enhancing and creating public realm, without creating a dominant, cluttered appearance or undue massing of built form.
- 8.5.15 The scale of the proposed development under Phase 1 of the application is considered to enhance the setting and character of the existing Stockyard site. The predominant buildings on site currently are to be maintained, except where demolition is noted, and the proposed new buildings are designed to a similar appearance and would use appropriate materials to match or to respect the local vernacular.
- 8.5.16 The Design and Access Statement submitted with the application that the process of the design stage has taken account of existing constraints of the site itself, as well as neighbouring buildings to it. The heights of positioning of buildings proposed near to boundaries, including the Anchor Building to the western boundary and Producer Hub 3 to the southern boundary, are designed to complement the appearance of adjacent built form and minimise adverse visual impact to the existing neighbouring buildings.

- 8.5.17 Phase 2 seeks further upgrade and enhancement of existing buildings for multifunctional use to the eastern area of the application site, including the Trader Halls, and Exhibition and Event Hall (Banqueting Suite).
- 8.5.18 As the Phase 2 development is primarily contained within the context of existing buildings on the site, there is considered to be no impact upon the overall character or appearance of the existing site or the proposed development under Phase 1. The precise details relating to appearance of those improvements under Phase 2 will be considered as reserved matters to be submitted at a later date once this hybrid application gains a positive recommendation.
- 8.5.19 As such, it is considered the proposed development is appropriately designed taking account of basic urban design principles, the specific context and constraints of the existing site and its neighbouring built form. The proposals therefore accord with Policy D1 of the Melton Local Plan.

8.6 Impact on Residential Amenity

- 8.6.1 Policy D1 of the Melton Local Plan also requires for new developments to not compromise the amenity of neighbours and neighbouring properties.
- 8.6.2 Residential properties exist to the west and south of the application site, on Nottingham Road and Park Road (Norman Way) respectively.
- 8.6.3 The site is currently used for Use Class E and Sui Generis purposes. It is not anticipated that the increased activity at the site as a result of the development would compromise the privacy or amenity of residents. Due to the nature of the proposed development to provide food production hubs, the Environmental Health Officer has advised that noise and odour assessments for the installation of plant and machinery shall be submitted before the occupation of each unit to ensure the amenity of neighbours is not compromised by the operations of the site. This is recommended to be secured by planning condition (refer to Conditions 10.9 and 10.10 below).
- 8.6.4 A Lighting Scheme is proposed as part of the development. This has been reviewed by Environmental Health and is considered acceptable. The details of which have been secured by planning condition (refer to Condition 10.7 below).
- 8.6.5 Although new buildings are proposed as part of the development, including in the western and southern areas of the site nearest to the existing residential properties, it is considered the buildings have been sympathetically designed and take account of neighbouring uses.
- 8.6.6 The Anchor Building proposed to the western boundary of the site with Nottingham Road would have no windows in its western elevation. The proposed roof terrace of this building on the second floor would be positioned to the eastern side of the building, therefore there would be no opportunity for overlooking to the neighbouring properties adjacent to the site on Nottingham Road. Given the approximate 20 metre distance between the principal elevation of the existing residential properties and the Anchor Building, there is also considered to be no undue overbearing or overshadowing impact.
- 8.6.7 Producer Hub 3 would be located at the southern boundary of the site adjacent to residential properties located on Park Road. This building is designed for single storey units only, which limits potential for overbearing or overshadowing impact. Given the existing boundary treatment in place along the southern boundary comprising a red brick wall to a minimum height of 2m, there is considered to be no opportunity for direct overlooking impact to the detriment of residential amenity.

8.6.8 As such, it is considered that the intensification of use of the site for food production, manufacturing and as a local events space would not unduly impact the amenity of residents of these nearby properties. The proposed built form at the site would not result in overshadowing, overbearing or overlooking impact to the detriment of residents' amenity. The proposed development therefore accords with Policy D1 in specific reference to the protection of residential amenity.

8.7 Heritage

8.7.1 Policy EN13 of the Melton Local Plan seeks to ensure the protection and enhancement of heritage assets and seeks for new development to make a positive contribution to the character and distinctiveness of the local area.

8.7.2 The application site is located adjacent to, but not within, the Melton Mowbray Conservation Area. The nearest listed buildings to the site are located on Park Road; 32/34 Park Road, 20/22 Park Road and 16 Park Road, which are all Grade II Listed. There are no heritage assets identified within the application site itself.

8.7.3 The application is supported by Heritage Impact Assessment which satisfies the requirements of Paragraph 207 of the NPPF [2024]. The Heritage Impact Assessment identifies and assesses the impact of the development upon nearby designated and non-designated heritage assets in proximity to the application site. Specifically, the Heritage Impact Assessment focusses on the aspects of the proposed development which would have the potential to impact on the setting of the heritage assets which are near to it. These aspects include; the Producer Hub 3 building and the Anchor building in relation to the listed buildings on Park Road, and the development as a whole on the Conservation Area.

8.7.4 The Conservation Officer is in general agreement with the findings of the Heritage Statement which concludes that there is an opportunity to further enhance the Conservation Area and historic setting through redevelopment, and considers the proposed works acceptable.

8.7.5 The overall heritage impact of the proposed development upon the historic environment including the setting of heritage assets is assessed as 'slight' in the Heritage Statement. The Heritage Statement considered there to be "little negative change" to the setting of the heritage assets, and the proposals are designed to avoid and/or mitigate harm or enhance the historic setting where possible. The Conservation Officer agrees with the conclusions of the Statement, and harm to the heritage assets is considered to be less than substantial. Paragraph 215 of the NPPF is therefore relevant, and states the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

8.7.6 It is considered the benefits of the proposed development, which would rejuvenate the area and provide opportunities for economic growth and social and environmental benefits in Melton Mowbray would far outweigh the identified less than substantial harm to the setting and significance of the heritage assets.

8.7.7 Therefore in accordance with Paragraph 219 of the NPPF, which states that local planning authorities should look for new developments within the setting of heritage assets to enhance or better reveal their significance, and those proposals which preserve elements of the setting that make a positive contribution to the asset, should be treated favourably.

- 8.7.8 In terms of archaeological matters, the County Archaeologist has confirmed the proposal would not result in a significant direct or indirect impact upon archaeological interest of any known or potential heritage assets. No further archaeological action is therefore necessary.
- 8.7.9 The proposed development therefore complies with Policy EN13 of the Local Plan and the NPPF.
- 8.8 Ecology, Trees and Landscaping**
- 8.8.1 Policy EN2 of the Melton Local Plan seeks to protect and enhance biodiversity in the Melton Borough, through achieving net gains for nature and proactively seeking habitat creation as part of new development proposals.
- 8.8.2 There are no ecological designations on the site. No bat roosts were recorded in any of the existing buildings and the site as a whole and holds little ecological value. No recommendations for mitigation or enhancement are recommended in the ecological surveys carried out and submitted with the application. The County Ecologist raises no objection to the findings of the surveys or the proposed development, and no conditions relating to ecology are recommended.
- 8.8.3 As the application site comprises 100% hardstanding and there are no notable on-site habitats, the site is exempt from delivering Biodiversity Net Gain in accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024. The 'de minimis' exemption applies where development would not impact a priority habitat and impacts less than 25 square metres of onsite habitat, or 5 metres of linear habitat i.e. hedgerows.
- 8.8.4 Criteria (h) of Policy D1 seeks for new development to utilise existing trees and hedgerows, together with new landscaping, to negate the effects of the development.
- 8.8.5 The proposed development would provide an introduction of low maintenance planting to the site as part of the landscaping proposals, featuring native species of plants and trees. The landscaping would comprise the planting of four new trees, and a number of small grassed areas and both fixed and mobile planters.
- 8.8.6 The County's Forestry Team find the arboricultural survey and report submitted with the application satisfactory. The report notes that of twenty trees surveyed, only two are within the application site and it would not be necessary to remove these trees to implement the development. It is recommended a Tree Protection Plan is submitted prior to the commencement of development of works on site. A Tree Protection Plan was submitted as part of the original arboricultural survey and report, and as such as planning condition is recommended to ensure the existing trees are protected in accordance with this plan (refer to Condition 10.6).
- 8.8.7 Leicestershire County Council Forestry Team did make a recommendation to reduce the types of trees to be planted as part of the development to *Gingko biloba* & *Liriodendron tulipifera* to provide a more uniform planting scheme. However, the landscaping scheme proposes the planting of only four trees to the western side of the site, and therefore it is considered that it would not be reasonable or necessary to seek any revisions to the landscaping scheme, and the proposed scheme would contribute to the overall visual amenity of the development. The proposed landscaping scheme is recommended to be secured by condition (refer to Condition 10.11), with the planting to take place in the first planting season following the substantial completion of the development.
- 8.8.8 As such, it is recommended the proposed development accords with Policies EN2 and D1 of the Melton Local Plan.

8.9 Other Matters

- 8.9.1 The Borough's Environmental Health Officer has advised that, given the site's prior use, a phased contaminated land assessment is essential. Investigation will also be required to investigate potential contamination from adjacent land uses, comprising petrol storage and a fire station. It is therefore recommended that phased contaminated land assessment is submitted and agreed prior to commencement by the Local Planning Authority, to include risk assessments and a scheme for remediation and mitigation if found to be necessary. As such, the relevant condition is included at 10.8 below.

9 Conclusion and Reason for Recommendation

- 9.1 The redevelopment of the Stockyard site comprises sustainable development which would extend and enhance the current offer. The proposal comprises significant improvement to existing public facilities to support the regeneration of Melton Mowbray.
- 9.2 The mixed use development is in a suitable and sustainable location and through the submission documents has demonstrated that the development would maximise social and economic opportunities, alongside environmental benefits provided to the wider Melton Borough.
- 9.3 Technical consultees are satisfied with the proposals, and reasonable planning conditions are recommended to provide further details as necessary.
- 9.4 The proposed development therefore accords with the Development Plan for the area, comprising the Melton Local Plan, and the National Planning Policy Framework

10 Planning Conditions

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 10.2 Application for approval of the reserved matters for Phase 2 development 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.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 10.3 No development shall commence on Phase 2 until approval of the details of the "layout, scale, and appearance of the building(s)" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

- 10.4 The development hereby permitted shall be carried out in accordance with the details outlined within;

Location Plan MEL002-GSA-ZZ-00-DR-A-0001 Revision P01

Nottingham Units – GA Proposed Plan/Typical Section & Elevations MEL002-GSA-NU-ZZ-DR-A-0150 Revision P01

Producers Hub 2 (Extension) Context and Use MEL002-GSA-P2-00-DR-A-0130 Revision P01

Producers Hub 2 (Extension) Sections MEL002-GSA-P2-ZZ-DR-A-0430 Revision P01

Producers Hub 2 (Extension) Roof Plan MEL002-GSA-P2-RF-DR-A-0132 Revision P01

Producers Hub 2 (Extension) Elevations MEL002-GSA-P1-ZZ-DR-A-0330 Revision P01

Producers Hub 2 (Extension) Ground Floor and Mezzanine Plans MEL002-GSA-P2-ZZ-DR-A-0131 Revision P01

Public Toilet Proposed Plans & Elevations MEL002-GSA-TB-ZZ-DR-A-0161 Revision P01

Public Toilet Existing and Proposed Context Plan & Elevations MEL002-GSA-TB-00-DR-A-0160 Revision P01

received by the Local Planning Authority on 11th July 2024

Proposed Site Plan MEL002-GSA-ZZ-00-DR-A-0100 Revision P02

Proposed Site Elevations MEL002-GSA-ZZ-ZZ-DR-A-0300 Revision P02

Proposed Site Sections 1 MEL002-GSA-00-XX-DR-A-0400 Revision P02

Proposed Site Sections 2 MEL002-GSA-00-XX-DR-A-0401 Revision P02

Proposed Site Sections 3 MEL002-GSA-00-XX-DR-A-0402 Revision P02

Anchor Building Context and Use MEL002-GSA-AB-00-DR-A-0110 Revision P02

Anchor Building Sections MEL002-GSA-AB-ZZ-DR-A-0410 Revision P02

Anchor Building Plans MEL002-GSA-AB-00-DR-A-0111 Revision P02

Anchor Building Elevations MEL002-GSA-AB-ZZ-DR-A-0310 Revision P02

Producers Hub 1 (Festival) Elevations MEL002-GSA-P1-ZZ-DR-A-0320 Revision P02

Producers Hub 1 (Festival) Sections MEL002-GSA-P1-ZZ-DR-A-0420 Revision P02

Producers Hub 1 (Festival) Roof Plan MEL002-GSA-P1-RF-DR-A-0122 Revision P02

Producers Hub 1 (Festival) Ground Floor and Mezzanine Plan MEL002-GSA-P1-ZZ-DR-A-0121 Revision P02

Producers Hub 1 (Festival) Context and Use MEL002-GSA-P1-00-DR-A-0120 Revision P02

Producers Hub 3 (Micro) – Elev/Sec MEL002-GSA-P3-ZZ-DR-A-0340 Revision P02

Producers Hub 3 (Micro) – Context MEL002-GSA-P3-00-DR-A-0140 Revision P02

Producers Hub 3 (Micro) – Plans MEL002-GSA-P3-ZZ-DR-A-0141 Revision P02

received by the Local Planning Authority on 12th December 2024

Reason: For the avoidance of doubt.

- 10.5 Notwithstanding the details shown on the approved plans and documents, details of the materials to be used in the construction of the external surfaces of the hereby permitted development 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 building(s) is carried out.

Reason: To ensure a satisfactory standard of external appearance in accordance with Policy D1 of the Melton Local Plan.

- 10.6 No development shall commence on site until all existing trees that are to be retained have been securely fenced off in accordance with the Tree Protection Plan drawing no. THL-1206-3 received by the Local Planning Authority on 11th July 2024. 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.

Reason: To ensure that existing trees are adequately protected during construction.

- 10.7 Prior to first occupation of the development, the lighting scheme as set out in the External Lighting Statement prepared by Chord Consultant and received by the Local Planning Authority on 11th July 2024, shall be implemented. No other external illumination shall be installed without the prior agreement of the Local Planning Authority.

- 10.8 **Reason:** In order to protect the amenities of the occupiers of nearby properties and in the interests of visual amenity, in accordance with Policy D1 of the Melton Local Plan. No development shall commence until an assessment of the risks posed by any contamination (including gases and water quality) has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency - Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

The assessment shall include: a survey of the extent, scale and nature of contamination; the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; ground waters and surface waters; ecological systems; and archaeological sites and ancient monuments.

Reason: To safeguard future occupiers from the contaminated land.

- 10.9 Prior to the occupation of any unit approved by this permission, details of any mechanical plant i.e. ventilation extraction system, mechanical exhaust system, air conditioning plant or refrigeration plant, including external ducting, shall be submitted to and approved in writing by the Local Planning Authority before the plant or system is installed. Once approved, the plant or system shall be installed prior to the commencement of the use.

Reason: In order to protect the amenities of the occupiers of nearby properties and in the interests of visual amenity, in accordance with Policy D1 of the Melton Local Plan.

- 10.10 Prior to the occupation of any unit approved by this permission, details of any odour neutraliser plant or fume extraction system including external ducting designed to suppress the emission of fumes and smell, shall have been submitted to and approved in writing by the Local Planning Authority. Once approved, the equipment shall be installed prior to the commencement of the use.

Reason: In order to protect the amenities of the occupiers of nearby properties and in the interests of visual amenity, in accordance with Policy D1 of the Melton Local Plan.

10.11 Soft landscaping works shall be fully carried out in accordance with Landscaping Plan drawing no. MEL002-GSA-ZZ-00-DR-A-0101 REV P02 received by the Local Planning Authority on 12th December 2024, in the first planting season following the substantial completion of the approved development. Any trees or plants which within a period of five years after planting are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure satisfactory landscaping is provided within a reasonable period, in accordance with Policy D1 of the Melton Local Plan.

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

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

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

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

10.14 No part of the development hereby permitted shall be occupied until such time as the vehicular and pedestrian access arrangements in general accordance with Greig & Stephenson Architects drawing number MEL002-GSA-ZZ-00-DR-A-0100 Rev P02 have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety & pedestrian safety and in accordance with the National Planning Policy Framework (2024).

10.15 No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 4.5 metres by 43 metres have been provided at the Gate 8 site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: 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 (2024).

10.16 The development hereby permitted shall not be occupied until such time as the access drive and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 15 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

- 10.17 Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 15 metres of the highway boundary at Gate 8, nor shall any be erected within a distance of 15 metres of the highway boundary at Gate 8, unless hung to open away from the highway. No gates shall be hung which open onto the public highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2024).

- 10.18 The amended vehicular access at Gate 8 at Nottingham Road hereby permitted shall not be used for a period of more than one month from being first brought into use unless the existing vehicular access on Nottingham Road at Gate 9 that becomes redundant as a result of this proposal has been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework (2024).

- 10.19 The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Parking Layout Plan, Greig & Stephenson Architects drawing number MEL002-GSA-ZZ-00-DR-A-0103 Rev P02. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

- 10.20 The development hereby permitted shall not be occupied until such time as secure cycle parking shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use in perpetuity.

Reason: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2024).

- 10.21 No part of the development hereby permitted shall be first occupied until a car park management plan has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed car park management plan shall be implemented in accordance with the approved details.

Reason: To manage parking demand to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

- 10.22 No part of the development hereby permitted shall be first occupied until a delivery & site traffic management plan has been submitted to and agreed in writing by the Local

Planning Authority. Thereafter the agreed delivery & site traffic management plan shall be implemented in accordance with the approved details.

Reason: To manage deliveries in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

- 10.23 No part of the development hereby permitted shall be first occupied until a refuse collection strategy has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed refuse collection strategy shall be implemented in accordance with the approved details.

Reason: To manage refuse collection in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

- 10.24 The development hereby permitted shall be carried out in accordance with Tomlinson Construction Traffic Management Plan Rev B dated 10th January 2025.

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

11 Financial Implications

- 11.1 N/A

Financial Implications reviewed by: N/A

12 Legal and Governance Implications

Legal Implications reviewed by: Deputy Monitoring Officer

13 Background Papers

- 13.1 N/A