

COMMUNITY & SOCIAL AFFAIRS COMMITTEE

15TH NOVEMBER 2017

REPORT OF HEAD OF COMMUNITIES & NEIGHBOURHOODS

APPLICATION FOR ACCESS FROM NEW DEVELOPMENT INTO COUNTRY PARK (EAST BOUNDARY)

1.0 PURPOSE OF REPORT

- 1.1 For Members to consider a request from the developers of a new development to provide access to the Melton Country Park

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee:

- (i) Consider the request to allow access to the Country Park from developers of a New Housing Development;
- (ii) Approve the request for access in principle, the exact location to be determined and delegated to the Head of Communities & Neighbourhoods following further consultation as set out in section 11 of this report below;
- (iii) Delegate to the Head of Communities & Neighbourhoods to commission a full ecological study of the area to determine the most appropriate locations for access and undertake further consultation with members of the Town Area Committee and other stakeholders.

3.0 KEY ISSUES

- 3.1 Taylor Wimpey have approached the Council for an access point from their proposed development of up to 200 dwellings on a site they have an option to purchase adjacent to the Country Park. The site is located to the East of the park as shown by the attached plan (Appendix A).
- 3.2 Officers have been informed by Taylor Wimpey (TW) that they also have further options on 2 more sites to the North of this proposed development which may also generate a request(s) for access.
- 3.3 Under the revised Development Framework Plan a potential footpath link has been identified as shown in the attached (2362_113_F) located in the SouthWest corner of the proposed scheme. The link into the Country Park is a significant part of the application as submitted by Taylor Wimpey. In particular their planning applications explains how it would add to the connectivity of the application site to the town centre and other facilities in the town (most obviously as access to John Ferneley College) by means other than by dependence on the car, and also to provide ready access for future residents into the Country Park for recreation and exercise. Both of these properties contribute to the quality of the planning application in terms of its sustainability 'credentials' and as such the proposed access is a material consideration of some significance for the Planning Committee.

3.4 MBC would be required to construct and maintain the link going forward; however, this is not felt to incur considerable costs. The point of access proposed is very close to a wide, surfaced, footpath that runs alongside the east boundary of the Country Park. The access would comprise the removal of only a small length of hedgerow which, at present, separates it from the application site, which is an arable field at present. The connection itself would need to cross a grass 'verge' of minimal width. Any agreement to allow the access could specify detailed arrangements, e.g. the nature of surfacing, any gate etc.

3.5 Points to consider:

- Members are not asked to consider this request as part of any planning context, this is solely in regards to the Council being the landowner.
- The link is created in the SW corner, should TW develop further sites to the North would they require further access points.
- By locating the link in the NW corner this could potentially serve this development and a further development to the north.
- We may then potentially have a further access at the most northern point of any future developments.
- Impact on wildlife and amenity of other users of the Country Park: as stated at 3.4 above the connection is low impact by virtue of its scale and would impact upon features sensitive in terms of wildlife impact save for the removal of a small length of hedgerow, nor is it considered it would impair the use of the part of the Country Park by other users.

4.0 POLICY AND CORPORATE IMPLICATIONS

4.1 There are clear links to some of the priorities in the Corporate Plan specifically:

- o Promoting a vibrant and sustainable economy, focused on growth and prosperity
- o Providing homes that meet needs.

4.2 The site and its adjacent fields to the north form part of the 'North Sustainable Neighbourhood' in the submitted Melton Local Plan which is a key element of the Plan and the growth strategy for Melton, incorporating other land uses (employment) and key infrastructure facilities such as a new primary school, extension to John Fernley College and a significant section of the Melton Mowbray Distributor Road. Policies in the plan refer to the interaction between the proposed development area that this site forms part of and the Country Park as follows (relevant extract):

The Sustainable Neighbourhood will provide:

- *a series of measures that improve accessibility and the attractiveness of walking and cycling connections through the Melton Country Park to the town centre and other town attractors such as employment, education and retail.*

Seek to retain and mitigate any potential harm to notable areas identified in the biodiversity study, in accordance with Policy EN2, including:

- *Protection and enhancement to the existing green infrastructure, local wildlife sites, wildlife corridors and, where appropriate, provide new corridors to create a coherent network of biodiversity and green infrastructure, providing links from existing green infrastructure to the countryside, specifically Melton Country Park, Scalford Brook and Welby Brook and the disused railway line;*
- *Establish a protection zone between Melton Country Park and any future development. Development should respond to the local topography and utilise it to*

define the protection zone. This zone should also include the provision of an undeveloped area of land between part of the existing northern boundary of the park and the proposed distributor road.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 To this extent TW have offered a sum of £10,000 contribution towards creating the link and this would be detailed in the s106 or other agreement (which covers a substantial range of undertakings by TW). It is also proposed that the Council will request that TW cover all legal costs incurred.
- 5.2 Subject to members approval it is proposed to meet the costs of the ecological study from the income secured for the access. The study will help future access requests from other applicable developments.

6.0 LEGAL IMPLICATIONS/POWERS

- 6.1 Members considerations and approvals on this matter will form the basis of any s106 agreement associated with any planning permission granted and that the Council will seek to recover all legal costs incurred from TW as part of the agreement..

7.0 COMMUNITY SAFETY

- 7.1 There are no Community Safety issues arising from this report.

8.0 EQUALITIES

- 8.1 No EIA has been completed as part of this report. The connection would need to provide access to all members of the community.

9.0 RISKS

The risks identifies below are the potential outcomes should this report not receiving member support.

9.1

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	Committee refuses access to the country park

10.0 CLIMATE CHANGE

10.1 There are no direct implications or impacts resulting from, this report

11.0 CONSULTATION

11.1 On the specific question of the request for access officers have discussed the proposal with the Chair of the Friends of the Country Park on at least one occasion in which he expressed his opposition. The reason for this was that it is believed it would not be in the best interest of the Country Park and would be harmful to wildlife.

Members are asked to approve access, however, the exact location to be determined following further consultation and delegated to the Head of Communities & Neighbourhoods.

This would include consultation with members of the Town Area Committee and also a drop in session at the Country Park Visitor Centre for the Friends of the Country park and any other resident/group.

12.0 WARDS AFFECTED

12.1 All

Contact Officer H Rai
Date: 26/10/17

Appendices : Appendix A- Development Framework Plan

Background
Papers: None

Reference : X : Committees\MEEA\2017/18\011117\HR-country park