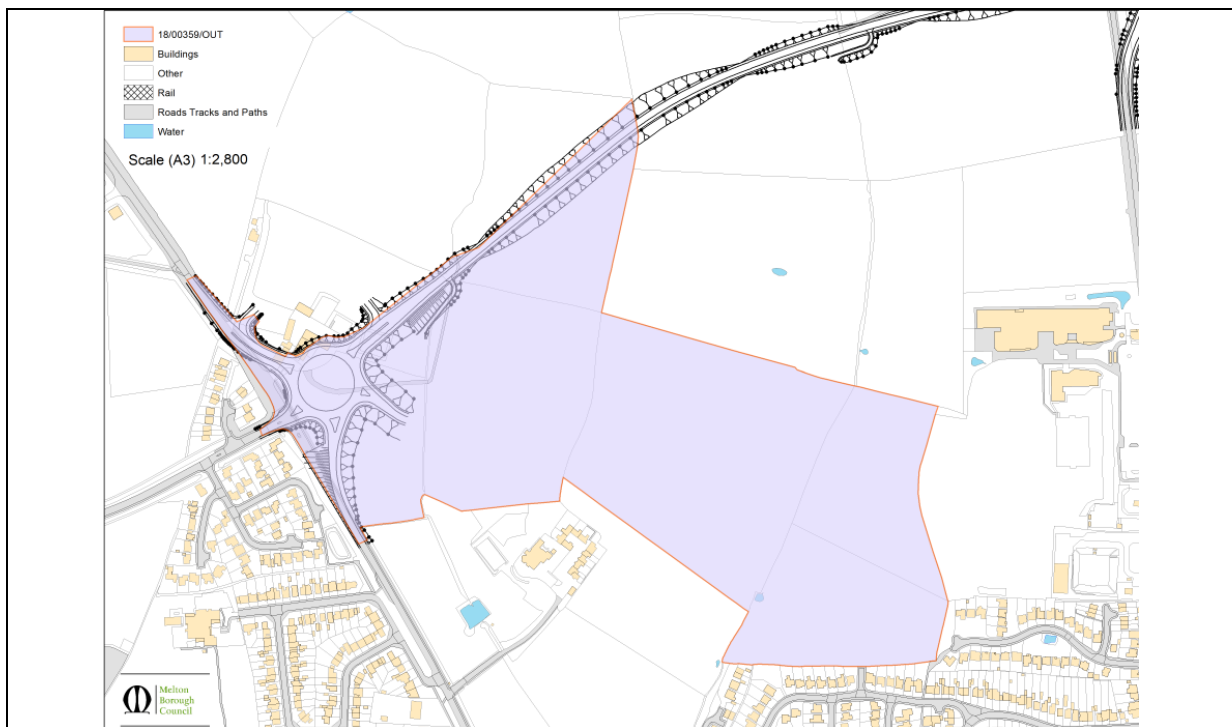


18/00369/OUT, Sysonby Farm, Nottingham Road, Melton Mowbray LE13 0NX (Melton North Sustainable Neighbourhood)

Outline planning application for demolition of all existing buildings and structures, and the erection of up to 290 Class C3 residential dwellings, local centre comprising of 200 m² GEA for Class A1, A2, A3, A4 and A5 uses, up to 250 m² GEA Class B1 business floorspace, Class D1 primary school, open space and associated infrastructure, with all matters reserved except access.

1. Summary:



The application site comprises 20.31 hectares of agricultural land which is at present divided into 6 field parcels, intersected by two minor watercourses. The site has undulating topography, and forms part of a valley. It is situated to the east of Nottingham Road, bound by Nottingham Road along its western boundary, and to the north and east by farmland. The land to the east forms the area for the adjacent / linked planning application (18/00769/OUT) submitted by Richborough Estates.

The site will be bound to the north by the recently approved Melton Mowbray Distributor Road (MMDR) (Leicestershire County Council ref [2018/Reg3Ma/0182/LCC](#)), the line of which has been shown on the above map. Construction of the MMDR is due to commence in 2020, with a build time of c.18 months. Roundabout 1 of MMDR will be to the north west corner of the site, providing the main point of access to the site off Nottingham Road. To the south and east the site adjoins an established residential area and the curtilage of John Ferneley College. A second point of access is proposed as a spine road running through the site, into the adjacent site to the east which is being considered under reference 18/00769/OUT submitted by Richborough Estates.

Sysonby Lodge, a Grade II Listed former hunting lodge with associated outbuildings and grounds is located to the south of the site. The outbuildings have been converted to housing and there is permission to convert the main house and for residential development in its grounds.. The boundary of the application site is approximately 40 metres from the nearest point of the listed building. Sysonby Farm, a late 19th century farmhouse with associated buildings is within the application site boundary, adjacent to Nottingham Road; the property is not listed locally, nor is it subject to a statutory designation. It's demolition forms part of the permission for the MMDR.

The site does not form part of a conservation area, nor does it have any other statutory designation (AONB, SSSI etc.)

2: Recommendations:

Permit subject to:

- (i) Completion a S.106 agreement making for:
 - Affordable housing provision;
 - NHS / CCG contribution;
 - Education contribution;
 - Libraries contribution;
 - Civic amenities contribution;
 - Libraries contribution;
 - Open Spaces;
 - Country Park – upgraded pathway
 - Land for the provision of the MMDR
- (ii) Conditions as set out in Appendix C

3: Reasons for Recommendation:

The application site is allocated for housing and associated development as part of the Melton Mowbray North Sustainable Neighbourhood (NSN), covering a large swathe of farmland to the north of the town between Nottingham Road in the north west and Melton Spinney Road in the north east. The proposal has been submitted for outline with access for approval. All other matters are reserved and are to be determined in a separate, future reserved matters application.

Issues regarding access, archaeology, ecology, and drainage have been satisfactorily addressed. Conditions recommended on this application will ensure that the development is delivered and will achieve the standards required to conform to the adopted policies.

As such, the proposal is considered to comply with the Local Plan policies referred to below and principles of the NPPF, subject to the satisfactory completion of a S106 agreement.

4: Key factors:

Reason for Committee Determination

The application is required to be presented to the Committee due to the strategic importance of the site.

Relevant Policies

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

- **The site forms part of the Local Plan housing allocation ‘Melton Mowbray North Sustainable Neighbourhood’ with 1500 homes due to be provided by 2036, as part of a total allocation of a minimum of 1700 homes.**
- **No inconsistency with the NPPF has been identified that would render Local Plan policies ‘out of date’.**

Please see Appendix D for a list of all applicable policies

Main Issues

The main issues for this application are considered to be:

- Principle of the Development & Policy Compliance, specifically whether the application should be determined in advance of the production of an agreed masterplan for the Melton North Sustainable Neighbourhood by the Borough Council;
- Highways Safety and the MMDR / Transport Strategy
- Education capacity and provision.;
- Footpaths / PROW
- Ecology

- Archaeology;
- Housing Mix / Affordable Housing;
- Flood Risk / Drainage
- Impact upon the character of the area;
- Impact upon residential amenities;
- Layout

5: Report Detail:

5.1 Principle of Development & Policy Compliance

The principle of development is established in the adopted Local Plan as it is allocated within the Melton North Sustainable Neighbourhood (NSN), subject to compliance to the policies within the overarching policy SS5.

A key matter for determination is whether the application sufficiently satisfies the requirements of policy SS5 so as to proceed in advance of an agreed master plan (currently under development by Melton Borough Council). The wording of the policy in regards to the masterplan is as follows:

Masterplanning and delivery

A master plan, including a phasing and delivery plan, should be prepared and agreed in advance of, or as part of, submission of a planning application for the Melton North Sustainable Neighbourhood (MNSN). In order to achieve a comprehensive approach, the master plan should be prepared for the whole MNSN. It will set out in detail the structure, and development concepts of the MNSN to include:

m1: The amount, distribution and location of proposed land uses alongside a timetable for their delivery;

m2: Proposed key transport links, within and outside of the development, including those between the main housing and local centre, town centre and nearby employment used, services and facilities;

m3: Important environmental features, including high grade agricultural land, biodiversity sites and heritage assets that are to be protected;

m4: Areas of green infrastructure and green space (including important strategic green gaps to be protected);

m5: Areas of new landscaping: and

m6: Design which performs well against BfL12 and seeks to develop the principles of 'Active Design', in accordance with Policy D1.

The MNSN master plan will be prepared in consultation with key stakeholders. Planning permission will not normally be granted for the NSN until a comprehensive master plan has been completed to the satisfaction of the Local Planning Authority.

(emphasis applied)

The final sentence is considered important in terms of establishing whether this application can be determined in advance of the completion of the master plan. The **policy does not require that the master plan must be completed before the grant of any** permission, but states that it will not *normally* be granted in the absence of the master plan.

The applicant has submitted their own master plan, in conjunction with the site directly to the east which is subject of planning application 18/00769/OUT submitted by Richborough Estates but this does not extend to the whole Sustainable Neighbourhood.

The masterplanning of the two Sustainable Neighbourhoods in their entirety is being undertaken by the Borough Council through its appointed consultants, and is due to complete in late summer / early autumn 2019. The master plans will form a Supplementary Planning Document (SPD) that all development within the two Sustainable Neighbourhoods will be expected to accord with. This work commenced following the adoption of the Local Plan in October 2018, once it became apparent that the consortium of developers in the north of the town were not progressing a master plan.

The master plan submitted by the applicant demonstrates that a new primary school can be provided on this site, in addition to a small local centre (some 200sqm for classes A1-A5) and up to 250sqm for B1 business floor space. The neighbouring application site (18/00769/OUT) has proposed to provide land for the extension of John Ferneley College by 200 places (1.22ha).

The need for the proposed primary school has been accepted by the LEA, however they will determine the final location in consultation with the applicant during the reserved matters which will follow if this application is successful.

The proposed local centre is not considered ideally located to serve the MNSN, by virtue of it being towards the western extremity of the MNSN, and therefore not easily accessible to all future occupiers. In addition, it is too small to function as a local centre to benefit the whole MNSN, lacking in space to provide further community services and facilities, and the potential for healthcare provision. Its approval in this location could undermine the future success of the neighbourhood local centre, once the most suitable location for this has been agreed by the masterplanning process. It is unlikely that the master plan will locate the local centre for the whole MNSN in this parcel of land for the reasons as outlined above.

In addition, the location of other strategic infrastructure as contained within policy SS5 which will be informed by the master plan. Items such as the local centre to serve the whole MNSN, allotments, playing pitches and extra care facilities. In particular, allotments and playing pitches will require a parcel of land to be provided in one, or possibly two places, rather than each parcel of land / or individual developer making their own provision within their own site.

Additionally, the work being undertaken by the Masterplan is suggesting that for certainty, the self-build / custom build element (as per policy C8) is provided in one area of the MNSN. Developers in both SN's have raised concerns with regards to

this policy as to how it would be delivered and managed practically on site with their build programs. Therefore, allocating a specific area for all of the self-build plots (c. plots for 85 dwellings) would seem to be a suitable response to these concerns.

A further consideration in respect of this application is that the County Council has been successfully awarded moneys through the Homes England Accelerated Construction Fund. This money is specifically to provide enabling infrastructure, to help the site get off the ground as soon as possible to ensure early delivery. It can be used for items such as sub stations, access roads and storm drainage. In addition it can also be used for producing some of the surveys required to support planning applications such as noise, ecology etc. The grant is caveated that it must be spent in full by the end of March 2021. This is amongst the reasons as to why this application is being presented to Committee in advance of the adoption of the Masterplan SPD, and should be considered by Members as a consideration within the 'planning balance'.

Therefore, Members will need to assess the offer being put forward by this application against the requirements of the policy, and make a judgement as to whether the determination of this application prior to the completion of the master plan will undermine or prejudice the overall strategic ambitions and delivery of the wider MNSN.

Uncertainty remains regarding the wider configuration of the various component parts of the northern SN, which is why a judgement needs to be made on this (and the neighbouring) application site. However, on the basis of the information received to date, it is considered that the application will not prejudice the delivery of the wider SN because it makes sufficient provision for the key components of infrastructure to support its own demands and also contribute towards the fulfilment of the wider SN.

5.2 Highways Safety and the MMDR / Transport Strategy

The Local Highway Authority has been consulted on the application, and subject to conditions and contributions (towards the MMDR, other highway improvements and public transport), the impacts of the development are not considered severe in accordance with the NPPF paragraph 109.

Contributions are requested towards the Melton Transport Strategy at £8653 per dwelling, in addition to a bus route serving the site, travel packs and bus passes for residents, a traffic calming scheme on The Crescent and SCOOT validation of certain junctions in Melton.

Objections were raised by some local residents regarding the traffic generated by the proposal (and the high levels of congestion already experienced in Melton). As detailed in the County's highway response, it is likely that there may be some detriment to the operation of the highway in the short term, however the long term strategy of the MMDR and associated wider transport strategy will improve traffic conditions. Indeed, given the expected timeframe for the delivery of houses on this site (bearing in mind that this is an outline application and a further detailed permission would be required to deliver homes), it is quite likely that the road will be nearing completion by the time that homes are delivered. Furthermore, this site

contains part of the land for the MMDR to be provided, including part of roundabout 1 on Nottingham Road, and the first stretch of road between Nottingham Road and Scalford Road, with the remainder of this stretch being provided by the public sector on land currently under the control of Richborough Estates.

Another objector raised issues with regards to the chosen peak times for determining traffic flows, stating that the peak time should cover a much wider period of time in the morning and evening. The peak time used for calculations of traffic impact is not an acknowledgement of how long the peak time actually is, but an analysis of the 'worst case scenario' which is typically in one hour in the morning, and one hour in the afternoon/evening. It is informed by a 'bell curve' and the highest traffic movements in one hour is used to inform the 'peak'. This is the number that is then used to calculate worst case traffic scenarios for the Transport Assessment.

The Local Highway Authority has no objections to the proposal, and subject to the imposition of conditions and contributions to mitigate the impact of the proposal it is not considered that the proposal will be detrimental to the safe and satisfactory function of the highway network. The MMDR has planning permission and is now in the final stages leading towards construction commencing. It is highly likely that the MMDR will be delivered, or will be close to being opened by the time homes are being delivered on this site. In addition, the S106 agreement can be utilised to ensure that the land for the MMDR is protected so that it can be delivered.

5.3 Education & Other Infrastructure Provision

A significant amount of work has been undertaken in conjunction with the Local Education Authority (LEA) to determine an education strategy to meet the demands of the substantial amount of housing development proposed in and around Melton Mowbray by the adopted Local Plan. Whilst the full comments of the LEA can be found below at Appendix A, the strategy is to ensure that all developments coming forward in the area contribute towards the education infrastructure required to support the level of development coming forwards.

In Melton Mowbray, this will require the provision of four new primary schools (two in the north, two in the south), an extension to John Ferneley College (land for this offered by Richborough Estates), and a new 625 secondary school, the location of which is yet to be determined.

Contributions have been calculated for developments in the town to include all of the above, in addition to extra places at primary and secondary special schools, and post-16 education. Developments that come forward in the villages will not be expected to contribute towards primary education in the town as this will be required in the relevant village, but where they are in the catchment for Melton Mowbray for all other types of education they will contribute towards its provision. This has resulted in a **final calculation per dwelling of £12,422.26**. As this application is offering land for the development of the single form entry primary school (1ha), the total contribution has been reduced by £741,000 to offset the 'value' of the land being provided. The education contribution requested is therefore £2,861,455 which the applicant has agreed.

It is important to note here the interdependencies between this application site, and the neighbouring site promoted by Richborough Estates (18/00769/OUT) that the contribution strategy also seeks to address by applying a 'per dwelling' contribution.. For context, there are very few available primary places in Melton that can meet the demands that this application will put on the provision. The same can be said for secondary education. Therefore, this site requires the provision of the extension to John Ferneley College to cope with the children that it will generate (in addition to the primary school that it is providing), and the Richborough Estates site requires the primary school that is promoted on this site.

Therefore, the LEA has agreed that it will be responsible for the provision of the primary school when required and /or when funding is in place, having set triggers for payment based on occupations, rather than restricting occupations. All of the contributions will be payable by the time that 75% of the development has been occupied (i.e. 217 dwellings).

The remaining risk from this approach is that if higher housing numbers are delivered across the Northern Sustainable Neighbourhood than envisaged as a minimum within the Local Plan (1,700). The provision of a single form entry school at this site, without the ability for it to expand (it would be landlocked), could result in an under-provision, leaving the eastern portion of the NSN to provide a larger, three form entry primary school. The LEA are aware of this, and have not requested that additional land is made available for a potential expansion of *this* school in future (i.e. an additional 1 hectare of land), therefore it cannot be reasonably requested of the applicant due to the uncertainty involved.

It is therefore considered that the proposal can provide the education infrastructure required to meet the needs of future residents, and the LEA have no objection to the proposal.

Most recently, the NHS / CCG have also updated their requests for contributions towards primary care facilities in the town. The figure that they have requested (£127,705.56) is based on the cost of the provision of new/expanded facilities for new patients generated by the development. Whilst they have yet to determine in what form and where this facility will be provided (they will be making a decision mid-August), their request is considered reasonable and justified, based on the available evidence. It is likely that the new facilities will either be provided at the existing premises in the town centre, or at a new site in one or both of the SN's. Nevertheless, the cost of provision will be the same based on the best known evidence.

The applicant for this proposal suggested that the new medical premises could be located within the local centre that they are proposing. The local centre is however only proposed for use classes A1-A5 and B1, which would not suit a medical practice. It is therefore considered that the best approach at present is to request the financial contribution which the applicant has also agreed to.

5.4 Footpaths

The proposal as submitted includes provision for Public Footpath E17 on its existing line through a recreational corridor which is to be created within the development. This path will be key as a non-motorised link between the proposed development and existing amenities located off site, and also an important gateway to the recreational network of footpaths around Melton.

Although the footpath will lose its rural character for the length of the development, the provision for the retention of the footpath will reduce the impact, and therefore the PROW officer has no objections to the proposal in principle. However, there are details which will need to be considered at the reserved matters stage and therefore conditions are recommended relating to the PROW.

The PROW Officer has no objections to the proposal subject to the imposition of conditions

5.5 Ecology

A number of ecological surveys were submitted in support of the application: Bat Survey, Breeding Bird Survey, Badger Mitigation Survey and Great Crested Newt Survey (with update).

Ecology has advised that, subject to conditions they have no objections to the development. Conditions include recommendations within the surveys, the submission of mitigation strategies at reserved matters, the retention of hedgerows on site with buffers of semi-natural vegetation, biodiversity enhancements and updated protected species surveys at reserved matters.

Overall, it is considered the ecological interests of the site and immediate surroundings will be adequately safeguarded by the proposed conditions and mitigation. In addition to the retention of hedgerows and biodiversity enhancement which will be ensured at the reserved matters stage.

5.6 Archaeology

The site lies in an area of archaeological interest. Trial trenching undertaken to inform previous development proposals identified the presence of probable Iron Age / later prehistoric activity at the south-west corner of the site. More recently, geophysical surveys of the vicinity has pointed to the presence of previously unidentified archaeological remains at a number of locations across the northern and eastern fringes of Melton Mowbray.

Therefore, conditions are required for a field evaluation (including trial trenching).

5.7 Affordable Housing/Housing Mix

The application proposes up to 290 dwellings, with 15% of these being affordable, in accordance with policy SS5. A proposed housing mix has not been submitted, therefore a condition requiring the developer to provide a housing mix compliant with the Council's adopted policy and most recent evidence would be placed upon any permission granted (as per policy C2, and Table 8 of the

Development Plan).

It is considered the proposal can provide an acceptable housing mix in terms of size, type and tenure and a policy compliant level of affordable housing provision, subject to an appropriately worded condition.

5.8 Flood Risk/Drainage

The proposal has been subject to consultation with the LLFA who raise no objection. Conditions can be imposed to ensure the drainage strategy is satisfactory (including surface water, SuDS and infiltration testing) and implemented.

Severn Trent Water were also consulted, however they did not respond to the consultation.

5.9 Impact upon the character of the area

The application represents fulfilment of the strategy for the growth of the town, as proposed within the adopted Local Plan. Delivery of the strategy as promoted within the Local Plan will also help to ensure that other areas that are not allocated will not be under pressure from development.

The delivery of the MMDR is the key to the wider strategy for the delivery of the Melton Local Plan, underpinning the infrastructure delivery element which is essential to the growth of the town. Without the MMDR, all growth in Melton Mowbray would be strictly constrained due to the severe impact upon traffic and congestion in the town. The MMDR will provide this relief, allowing the town to grow in a planned, sustainable manner, in accordance with the adopted Local Plan.

Submitted with the application is an illustrative masterplan, however as the application is for outline with only the access for determination at this point, the layout will be for consideration at the reserved matters stage.

There will be an inevitable loss of open countryside as a result of the proposed development, however when coupled with the introduction of the (now approved) MMDR road to the north, there will be a substantial change to the overall character and appearance of the area, which will become more 'urbanised'.

There are measures that can be incorporated into the future design of the scheme, to mitigate the impacts on the character and openness of the surrounding landscape. A high degree of soft landscaping and open spaces within the development can ensure that the perception of the development is considerate of the wider rural landscape, particularly to the north.

It is considered the proposal can achieve a high standard of design and layout, in compliance with Policy D1, to be determined at the reserved matters stage should this application be successful.

5.10 Impact upon residential amenities

As the application is in outline with only the access for approval at this stage, the

impact upon individual residential properties cannot be assessed. As stated above, an illustrative masterplan has been submitted, however this is for illustrative purposes only and the layout and design of individual dwellings are reserved matters.

It is considered that a suitable design can be achieved in future to ensure minimal impact upon the residential amenities of neighbouring dwellings, to satisfy the requirements of policy D1.

5.11 Layout

Whilst layout is not a matter for determination within this outline application, an illustrative masterplan has been provided, showing the provision within the site of a number of elements of infrastructure.

- Local centre - This would consist of 200m² for A1-A5 uses, and up to 250m² for B1 business floor space. This will not meet the needs for the whole of the NSN, but will go somewhat towards meeting the needs of those residents living between Nottingham Road and Scalford Road, and perhaps residents a little further afield.
- Shared use sports pitch and play area – this is proposed to be shared with the primary school, however it is not yet understood whether this would be acceptable to the Academy that would likely run the school. As the land take for the school has been reduced from 2ha to 1ha, the provision of a playing pitch with equipped play area could be conditioned to form part of the reserved matters application.

Local residents raised issues with the proposed layout as demonstrated within the illustrative masterplan, particularly regarding the layout close to the Dickens Drive in regards to the direction of the road and the proposed footways. The application is in outline, and the layout provided is not proposed for determination at this stage. The layout will be subject to determination at reserved matters where all of these matters including the impact upon residential privacy and amenity can be balanced with the need to ensure a well-connected development.

Residents also raised issues with regards to the location of affordable housing, which has not yet been determined. Again, this will be determined at the reserved matters stage(s).

Residents of Dickens Drive also raised concerns with regards to the level of planting proposed along the southern boundary, restricting their right to light. The amount and type of landscaping will be determined in detail at the reserved matters application.

It is considered that the layout can be satisfactorily addressed at the reserved matters stage, and that the density of development proposed (up to 290 dwellings) is satisfactory.

Consultation & Feedback

Site notices were posted, the application was advertised in the local press and neighbouring properties were advised by letter, and advised of further amendments.

As a result, 11 comments were received from 6 households. 2 of these were neutral (i.e. neither objecting nor supporting), and 4 raised objections. One of the letters was on behalf of 3 households on Winchester Drive.

Objections raised relate to:

- Increased traffic volumes
- Disproportionate development to the north of the town (vs. east and west)
- Impacts upon privacy and amenity
- Loss of light from proposed tree planting
- Lack of employment opportunities
- Questioning the need for homes
- How the redundant section of Nottingham Road will be dealt with (needs to be planted, but not obscure views)
- The pole mounted electricity transformer opposite 12 Winchester Drive should be relocated (outside of the application boundary)
- Layout of the internal roads and footways on the masterplan

Financial Implications:

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

- Education Contribution: **£2,861,455**
- Highways Contribution: **£2,509,370** (£8653 per house for strategic road improvements)
- Highways Contribution: **£750,000** (Bus service, total between this site and 18/00769/OUT)
Highways Contributions: **£6,000** (SCOOT Validation), **£6,000** (Travel Plan Monitoring), **£7,500** (relocation of speed limit), a scheme to deter rat-running on The Crescent, Construction Traffic Routing Agreement, Travel Packs and Bus Passes
- Civic Amenity Contribution: **£23,971**
- Libraries Contribution: (per house based on size of house)
- NHS (ELR CCG): **£127,705.56**
- Affordable Housing: 15% across the site, split 80% social rented,

20% other types of affordable housing including starter homes and/or discounted purchase.

- Employment and training opportunities
- Open Space, Sport and Recreation in accordance with policy EN7
- Upgrading 150 metres of paths at Melton Country Park - **£25,000**
- **Land for the provision of the MMDR / protection of the land for the provision of the MMDR**

S106 payments are governed by Regulation 122 of the CIL Regulations and require them to be necessary to allow the development to proceed, related to the development, to be for planning purposes, and reasonable in all other respects. It is considered that the requests meet with the requirements of the Regulations.

Background Papers:

- Planning Application File [2018/Reg3Ma/0182/LCC](#) for the Melton Mowbray Distributor Road (MMDR), now permitted.

Appendices:

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

Report Timeline:

Assistant Director Approval

20th July 2019

Report Author: Mrs Sarah Legge, Lead Planning Officer, Development Management

☎: 01664 502380

Appendix A : Consultation replies

LCC Highway Authority (Summarised)

Background

Planning application reference 14/00518/OUT for up to 325 dwellings with all matters other than access reserved was submitted for this site in 2014. The submitted Transport Assessment concluded at the time that the impact on the highway from the development was not severe. However the LHA disagreed with this view and advised refusal in March 2015, but also advised that the LPA may wish to consider results from the emerging Melton Transport Study, which may have allowed the LHA to provide a more positive response. Melton Borough Council subsequently refused the application on highways grounds in April 2015.

Melton Mowbray Cumulative Development Impact Study

The LHA and the LPA completed the Melton Mowbray Cumulative Development Impact Study in October 2014 which used the Leicester and Leicestershire Integrated Transport Model [LLITM].

The Study concluded that “the analysis suggests that any development (whether those proposed or adopted as part of a growth strategy) would have a notable impact in further deteriorating traffic conditions in the town (whether measured by congestion, delay or travel times)”. The Study recommends that, irrespective of size, specific proposals will require “a detailed transport assessment undertaken to ensure that suitable mitigation is proposed”.

Melton Mowbray Transport Strategy

In February 2015 the LHA and LPA released a joint statement which outlined their position in relation to highways on new developments in Melton Mowbray. Whilst both authorities recognise the need for growth in the town, this should not be at the expense of adverse economic, environmental and social impacts.

Crucially, the study work undertaken for this concluded that the current highway network in Melton Mowbray has reached capacity and that significant new highway capacity in the form of an outer distributor road will be needed to accommodate the additional development required in Melton Mowbray. It is therefore clear that a co-ordinated approach to transport mitigation will be required.

At its meeting on 11th September 2015, the County Council’s Cabinet resolved to accept a proportionate and reasonable deterioration in traffic conditions in Melton Mowbray as a result of developments being permitted prior to full completion of an outer relief road (ORR) now referred to as the Melton Mowbray Distributor Road (MMDR) on the condition that such developments were contributing to the delivery of the MMDR and the emerging wider Melton Mowbray Transport Strategy.

Melton Mowbray Distributor Road

The overall Melton Mowbray Distributor Road (MMDR) comprises:-

- A ‘Northern Distributor Road’ (NDR) linking the A606 Nottingham Road to Melton Spinney Road;
- An ‘Eastern Distributor Road’ (EDR) linking Melton Spinney Road to the A606 Burton Road; and,
- A ‘Southern Distributor Road’ (SDR) linking the A606 Burton Road to the A607 Leicester Road.

In May 2018, the DFT announced the award of £49.5m in government funding to deliver the North and East scheme; planning permission was granted in May 2019. It is anticipated that construction will start in summer 2020 and conclude by the end of 2022 in line with the outline business case timeframes. In line with the agreed approach outlined above, developments will be expected to contribute towards delivery of the MMDR. A separate bid has been submitted to Homes England for forward funding for the southern scheme.

Site Access

As shown in Phil Jones Associates drawing number 2094-102, the development site would be accessed via a five arm roundabout off Nottingham Road (A606), which currently has a 40mph speed limit in this location.

The roundabout will not only serve as the development access but will form a key junction for the MMDR. It can be fully delivered within land under the Applicant's control and existing highway land. Planning permission was granted for the MMDR in May 2019.

The roundabout will have a speed limit of 40mph and require relocation of the existing 40/50mph speed limit terminals on both the A607 and St Bartholomew's Way. The LHA therefore advise that the Applicant will be required to cover the costs (£7,500) associated with amending the Traffic Regulation Orders to relocate the speed limit terminals, in the form of a Section 106 contribution. The Applicant has stated that an additional access point with a 6.75 metre wide carriageway will be provided at the boundary between this site and the neighbouring Richborough development, which would take access from Scalford Road. The internal spine road will be designed as a bus route and this is both welcomed and considered necessary by the LHA.

Highway Safety

Previously the Applicant assessed Personal Injury Collisions (PICs) between 01/01/10 and 28/10/15. The submitted TA Addendum assesses PIC data obtained from LCC between 01/03/13 and 05/05/18. The study area used for the assessment is shown in Figure 1 below.

There have been a total of 49 PICs recorded within the study area, of which six were classed as serious and 43 as slight. No PICs have been recorded on Nottingham Road in the vicinity of the site access. All six serious PICs and a further 17 slight PICs involved pedestrians.

A total of 22 PIC's occurred at junctions within the study area. The table demonstrates that there have been no particular clusters or trends of PICs at any specific junction within the study area.

The LHA has checked its PIC database to discover if there have been any further PICs since submission of the updated data. An additional one PIC has occurred on Nottingham Road involving a right turning vehicle; however this was not at any of the junctions referenced above and did not involve cyclists, pedestrians or children. Overall, the LHA does not consider that the proposed development will exacerbate

the existing situation and would not seek to resist the application on highway safety grounds.

Trip Generation

The Applicant has advised all travel demand calculations have been based on up to 800 dwellings across both the LCC and Richborough sites, split evenly between the two. The quantum of development actually applied for as part of this application is 290 dwellings, with up to 400 dwellings within the Richborough site, resulting in a total of 690 dwellings and an excess of 110 dwellings being assessed as part of this application. The Applicant has advised this represents a worst-case scenario assessment. Trip rates were agreed with the LHA prior to the Applicant running LLITM.

Person trip rates for the development have been based on the agreed trip rates as part of the previous application. The vehicle trip rate for the dwellings has been based on the mode share from 2011 Census method of travel to work data for the Melton Sysonby Ward.

When adding together the two way trips for the LCC site from tables 6.3 (trip generation for 400 dwellings) and 6.6 (Trip generation for the primary school) of the submitted TA, it can be seen in Table 6.7 (site generation) that there are an additional 25 two way trips in the AM peak and 17 two way trips in the PM peak contained within the 2031 LCC site figures, above those generated by the dwellings and the school. Paragraph 2.2.2 of the LLITM Review Technical Note contained within Appendix H of the TA advises, *'the development proposal used within the LLITM modelling included 1.9ha of B2 employment by 2031. This parcel of land has since been omitted from the proposals however is likely to come forward as a separate planning application in the future. Therefore, the trip generation used within modelling is considered to be conservative and remain robust within the 2031 scenario'*. This is considered acceptable to the LHA, however it should be noted that any development to come forward in the future will need to be appropriately assessed as part of that application at the time.

Junction Capacity Assessments

As requested by the LHA, the Applicant has submitted the raw data which makes up the survey base flow data for all assessed junctions.

The Applicant has undertaken capacity assessments for the peak hours of 08:00 - 09:00 and 17:00 - 18:00.

The Applicant has assessed the traffic impact of this development individually and also the cumulative impact of both this site and the Richborough site, should both sites be permitted by the LPA.

The LHA is satisfied that the assessed junctions will operate within capacity under all scenarios up to 2031 and that no mitigation is required. However, the LHA consider that the operation of the Nottingham Road/ Wilton Road/ Scalford Road/ Nottingham Street signalised junction (Junction 3) will be affected by the proposals.

Previous work undertaken by the LHA and LPA for the Cumulative Development

Impact Study in October 2015 identified that the majority of junctions within and around Melton Mowbray town centre were at capacity and that operation would continue to deteriorate with the introduction of new developments such that the LHA considers that the impact would be severe in the context of NPPF without a package of mitigation measures.

The LHA would normally consider assessment results such as those within the TA Addendum to demonstrate the traffic impact of the LCC development to be severe at the junction. However, as set out earlier in these observations, at its meeting on 11th September 2015, the County Council's Cabinet resolved to accept a proportionate and reasonable deterioration in traffic conditions in Melton Mowbray as a result of developments being permitted prior to full completion of an outer relief road (ORR) now referred to as the Melton Mowbray Distributor Road (MMDR). This was on the condition that such developments were contributing to the delivery of the MMDR and the wider Melton Mowbray Transport Strategy.

Therefore, given that opportunities for improvements at this town centre junction are very limited, the LHA considers it more appropriate that mitigation for the proposed development is sought through securing wider improvements in the form of new highway infrastructure which can mitigate the impact at those junctions through the reassignment of traffic. The LHA considers this can be addressed through the delivery of the Melton Mowbray Transport Strategy including a Melton Mowbray Distributor Road, on the basis of the £49.5 million government funding secured to deliver the scheme. Until such a time as this infrastructure is provided however, the impact of this development would be considered to be severe.

Work undertaken by the LPA and the LHA to secure the recent funding towards the Northern and Eastern Distributor Roads has identified that following the implementation of the Distributor Roads, there is likely to be a decrease in total delay at the Nottingham Road and Salford Road junctions. Accordingly, the LHA would therefore seek to enter into a S106 agreement for a contribution based on a proportionate impact of this development on the highway network which is in line with the approach taken by the LHA under application reference 17/01500/OUT (Lake Terrace, Melton).

Based on this approach, the LHA advises a contribution of £2,509,370 (£8,653 x 290) towards the delivery of strategic transport improvements including the MMDR from these proposals. This requirement set out below in the section titled contributions. The Applicant has indicated they are willing to contribute towards the MMDR.

However notwithstanding the comments above the LHA has identified some measures which will help alleviate some of the impact of the proposed development in the short term. The SCOOT system co-ordinates the operation of traffic signals in an area and provides a proactive approach to managing fluctuation in traffic throughout the day including the AM and PM peak hours. Whilst this would not, in itself, mitigate the development impact, it would contribute positively to reducing the impact of the development. The requirement for contributions to SCOOT validation at the junctions mentioned above is set out below in the section titled contributions. The Applicant has indicated they are willing to undertake measures at

the junction.

Off-Site Implications

The Crescent

The Applicant has proposed traffic calming on The Crescent to encourage drivers to use the MMDR as a more suitable route between northwest and northeast Melton, however no detailed drawing has been submitted which outline any proposals. While the Applicant has demonstrated the junctions either side of The Crescent would operate within capacity under all scenarios as outlined above, the LHA consider it would be beneficial to implement measures to deter the use of The Crescent.

The LHA consider that a scheme to deter traffic from using The Crescent can be delivered by condition. It should be noted that any scheme is likely to require Traffic Regulation Orders and the Applicant will be required to cover the cost of these in full. A scheme would also be subject to public consultation, the outcomes of which may result in the scheme needing to be revised. A scheme should therefore be pursued at the earliest opportunity by the Applicant.

Minor Road Audit

The Applicant advised that the LLITM model has indicated that additional vehicles are anticipated to use a number of minor roads as a result of the cumulative LCC and Richborough developments, including single track lanes with low traffic volumes, specifically Gaddesby Lane, Pastures Lane, Holwell Lane, Saxelby Road, Olster Lane and Old Dalby Lane. Within the TA, the Applicant has stated additional traffic is anticipated on Saxelby Road, Olster Lane and Old Dalby Lane in the 2021 AM peak (up to approximately 25 two way Passenger Car Unit (PCU) trips) and on Holwell Lane in the PM peak (23 PCU's) as a result of the MN cumulative development traffic and reassignment.

After considering all of the information, given that the impact on Saxelby Road, Olster Lane and Old Dalby Lane is prior to the MMDR and the impact on Gaddesby Lane and Pasture Lane is minimal in 2031, the LHA do not consider an audit would be necessary.

Internal Layout

Given the nature of this application, the LHA have not considered the internal layout of the proposed development in detail. This would be determined as part of a future reserved matters application. Nevertheless, the LHA has noted that the 'potential primary school' site shown on the Illustrative Masterplan within the TA (Townscape Solutions drawing number IM-01a Rev PP has been located at the end of a cul-de sac. As per Table DG1 of the Leicestershire Highways Design Guide, a school should not be located cul-de sac. This will therefore need consideration prior to submission of the reserved matters application.

The Applicant has advised that the spine road to the development, which would link through to the adjacent Richborough application site, would be designed as a bus route, with a 6.75 metre wide carriageway. This is welcomed by the LHA and would be considered necessary. The Applicant will be required to design the internal layout and spine road to ensure that all dwellings within the site are 400 metres from a bus stop. Bus stops will be required at appropriate locations including raised kerbs and

real time information.

Transport Sustainability

A Travel Plan has been submitted as part of this application which is overall considered acceptable, subject to amendments, which can be conditioned.

The LHA will seek to secure appropriate bus services through an appropriately worded planning obligation.

In order to further encourage sustainable travel and inform residents of what sustainable travel choices are available in the surrounding area, the LHA would advise one travel pack (£52.85 per pack) and two six month bus passes (at an average cost of £360.00 per pass - cost to be confirmed at implementation) will be required per dwelling. A travel plan monitoring fee of £6,000 will also be required.

Public Rights of Way

It is noted that footpath E17 runs through the eastern section of the site. The LHA would advise the LPA to consider the comments raised by the Access Officer submitted on 11 September 2018.

Construction Period

Disappointingly no consideration has been given to how the development will be constructed; therefore the LHA support the imposition of a condition (and obligation in relation to Construction Traffic Routing) which requires the submission of a robust Construction Traffic Management Plan (CTMP) to ensure that the construction period does not unduly affect the operation of the adjacent A606 Nottingham Road. The LHA are aware that there will need to be significant earthworks required to make the site suitable for residential development in the first instance. It is considered that the CTMP should consider the impact of construction during these works, as well as when above ground works commence. It will be crucial to engage with the promoters of both the Richborough site, as well as the adjacent MMDR to minimise impact.

Local Education Authority

This request for an education contribution is based on 290 homes of which 43 will be one-bedroom homes for which no claim is made. This site generates:

Sector	No. of Pupils generated by the development
Primary	75
11-16	42
Post 16	9
Primary Special	0.89661
Secondary Special	0.98800

In order to plan strategically for the provision of the Education infrastructure needed

as a result of the proposed housing developments in the Borough, the County Council in arriving at the contribution requested, has taken account of the proposed developments in the Sustainable Neighbourhoods (SN) planned to the north and south of Melton town, and the developments planned in Melton town itself.

The calculations are based on the numbers of homes proposed in the Local Plan, which equates to 1700 in the North SN, 2000 homes in the South SN and 550 homes in the town. In accordance with the Local Plan it is assumed that 15% of these homes will be one-bedroom flats, for which there is no expected pupil yield and therefore no contribution sought.

The calculations also include the pupil yield from 282 homes in village locations where the village falls within the catchment area of John Ferneley and Long Field School, however this only applies to the secondary, post 16 and special elements of the total infrastructure cost as these pupils will be expected to attend the village primary school closest to the development, and therefore any primary contributions sought will be used to extend the local school.

The calculation is based on an assumption that 4532 homes will be built in the plan period, this figure is then reduced by 15% to represent the number of one-bedroom homes to be built in Melton town, giving a final figure of 3895 homes

The pupil yield rates per 100 dwellings with two or more bedrooms used are as follows:

Primary	30.0
Secondary 11-16	16.7
Post 16	3.3
Special (Primary)	0.363
Special (Secondary)	0.4

PUPIL YIELD

SECTOR	NORTH SN	SOUTH SN	TOWN/VILLAGE	TOTAL
Primary	574*	539*		1113
Secondary	241	284	312	837
Post 16	48	56	64	168
Special (Primary)	5	6	4	15
Special (Secondary)	6	7	4	17

*Pupils from approved sites in the town are included in these figures.

The yield figures are rounded up to the nearest whole number

In order to provide the additional school places required, the following provision is required:-

PRIMARY

NORTH SN	BUILD COST	LAND COST
One 210 place school	£4,410,000	£741,000 1ha
One 240 place school	£6,641,000	£1482,000 2ha

SOUTH SN

One 210 place school	£4,410,000	£741,000 1ha
One 240 place school	£6,641,000	£1482,000 2ha

TOTAL COST **£22,102,000** **£4,446,000** **£26,548,000**

Less contributions from signed agreements equalling £348,451, leaving a balance of £26,199,549 – this cost will be shared across the dwellings to be built in the North and South SN and Melton town only. Any developments in the villages will contribute towards the cost of extending the village or local primary school.

SECONDARY

In order to provide the additional 837 secondary school places required, the proposal is to extend John Ferneley College by 200 places and to build a new secondary school (11-16) ideally in a location to the south of the town in order to ensure that secondary school places are located where the housing growth is planned. The Long Field School is not suitable for further development due to its location within a flood plan and the complexities and cost of extending buildings in locations of this nature.

To extend John Fernley by 200 places would cost £3,575,234 (based on the cost multiplier of £17,876.17 per pupil place) and require 1.22ha of land at a cost of £904,020 (based on a land value of £741,000 per ha)

To build a new 650 place secondary school would cost £18,567,000, and require 5ha of land at a cost of £3,705,000.

total cost £26,751,254. S106 agreements already signed include contributions to the value of £1,766,344. This funding will be used towards this cost leaving a balance of £24,984,909 to fund.

POST 16

The Post 16 provider in Melton is the Melton Vale Post 16 Centre on Burton Road. The Centre currently has spare capacity for a further 100 students. The total yield from the proposed development is 168 pupils, so S106 contributions are required to provide an additional 68 places.

The cost multiplier for Post 16 places is £19,327.90 per pupil place.

The total cost for providing the additional Post 16 places is £1,316,666.

SPECIAL

The nearest Special School to the proposed developments is the Birch Wood School. The school is full and forecast to remain so.

The total predicted yield from the proposed developments of pupils requiring education in a special school setting is 15 primary age pupils and 17 secondary age pupils.

The cost multiplier per primary place is £54,445, and the cost multiplier per secondary place is £83,707.

Giving a total special school contribution of £2,239,694. S106 agreements already signed include contributions to the value of £181,583. This funding will be used towards this cost leaving a balance of £2,058,111.

S106 CONTRIBUTIONS ARE REQUIRED TO FUND THE TOTAL FOLLOWING LAND AND BUILDING COSTS:

Primary	£26,199,549
Secondary	£24,984,909
Post 16	£1,316,667
Special	£2,058,111
TOTAL	£54,559,236

The proposed total contribution, how this figure relates to the different sectors and the per dwelling levy is shown below

SECTOR	TOWN	VILLAGES
Primary	£6,164.60	-
Secondary	£5,513.00	£5,513.00
Post 16	£290.53	£290.53
Special	£2,058,111	
TOTAL	£12,422.26	£6,257.66

On the assumption that 4532 homes will be built in the plan period, this equates to £12,422.26 per home in the North and South SN's and Melton town. This figure will be reduced proportionately where any developer allocates land to build the new primary schools or secondary school at a value of £741,000 per ha.

The contribution for homes in the village locations will equate to £6257.66 per home, however please note that this figure does not include any primary contribution which will be required.

CONTRIBUTIONS FOR THIS APPLICATION

Based on 290 homes, at a charge of £12,422.26 per home the total contribution required is £3,602,455. On the assumption that LCC allocates a site of aha to provide land to build a new one form entry primary school (210 places), this contribution will be reduced by £741,000 to give a final total contribution of £2,861,455.

TOTAL REQUIREMENT £2,861,455

PAYMENT TRIGGERS

The timing and speed of development of the new housing in the NSN is critical to the payment triggers for contributions and the need to ensure that sufficient funding is available when it is required. The education contribution is a global figure which includes the cost of extending or building new primary, secondary, post 16 and special schools provision. The figure will be applied as a per dwelling contribution and will be paid as such, the County Council will determine the timetable for increasing the number of places in the various sectors.

Where land is allocated for the provision of new facilities this will be required as serviced land which should be transferred to the County Council prior to occupation of the first dwelling.

The payment triggers for the contributions will be as follows:-

10% on first occupation.

70% on 50% occupations.

20% on 75% occupations.

This will mean 75% occupations would be the latest date for payment of the final instalment, or within 36 months of commencement of development whichever comes sooner.

The payment triggers assume that the County Council will be building the new schools and the extension to John Ferneley.

The same set of triggers will be applied to all developments in the NSN. Each developer will pay the sum due when the required number of houses have been occupied on their development.

However the triggers for the construction and opening of the new school will depend on the cumulative total of houses built and occupied in the NSN.

The school will not be opened until at least the occupation of 200 dwellings. The school will be opened at the discretion of the County Council when required and/ or when funding is in place.

LCC Ecology

Habitats: The habitat survey of the site (Just Ecology, March 2017) indicates that the majority of the site is either improved grassland or arable. The hedgerows surrounding and throughout the site are considered to be species-rich and worthy of retention. There is an existing stream running north to south and this should be retained and buffered from the development. The proposed masterplan (IM-01a) indicates some open space on this corridor, but it is not clear if the watercourse will be retained.

Badgers: The badger survey (Just Ecology, March 2017) recorded a number of setts close to and within the application site. The report indicates that the layout will need to work to protect these setts, connectivity between them and provide enough foraging grounds for the badgers. Since the original ecology comments were written, the plans have developed for the MMDR, which are looking to provide a badger tunnel in the area of proposed tree planting in this scheme. The indicative layout provides a corridor between Sysonby Lodge and the MMDR route, but the Officer also recommends that it is ensured that there is not a pinch point on the northern

boundary between the corridor and the proposed tunnel. The MMDR does not have much landscaping width on this point and it is important that badgers have a sufficient route to move through, to ensure their welfare but also to help prevent conflict between badgers and people in their gardens.

Wildlife Corridors: The two main areas of open space / wildlife corridors are not connected and would recommend that the boundary is buffered from housing, with a 5m buffer of semi-natural vegetation. This will allow badgers to move along the edge of the development and access all areas of open space.

Bats: The updated Bat Survey (Wardell Armstrong, August 2018) indicates that building B1 is a confirmed bat roost, with 4 Common Pipistrelle bats emerging. Building B4 was found to support a Brown Long-eared feeding roost.

Mitigation will therefore be required in support of this application. An outline mitigation strategy is contained within Section 5 of the report. This is acceptable in support of the outline application, as it has been demonstrated that adequate mitigation can be incorporated into the development. We would, however, expect to see a detailed mitigation plan submitted in support of the reserved matters application.

In summary, our recommendations for the development are now as follows:

Prior to determination:

- The badger mitigation strategy should be revisited, ensuring that there is good connectivity between setts on-site and those close to the site boundary.
- The indicative layout to be revised to reflect any amendments/additions to protected species mitigation.

Should planning permission be granted we would recommend the following is incorporated into conditions of the permission:

- Long-term layout must include green corridor to the east and south of the site. This should include habitat suitable for GCN.
- A detailed GCN mitigation strategy to be submitted with the reserved matters application, informed by additional survey as appropriate.
- A detailed Bat mitigation strategy to be submitted with the reserved matters application, informed by additional survey as appropriate.
- All hedgerows retained on site should be buffered with a minimum of 5m semi-natural vegetation from plot boundaries.
- Works to be in accordance with the recommendations in the breeding bird report, including the replacement of suitable bird boxes.
- Landscaping plans to reflect biodiversity enhancements, particularly in areas of open space and the green 'SUDs' corridors throughout the site.
- Prior to commencement a biodiversity management plan should be submitted and approved.

LCC Footpaths

The line of the footpath shown on the Masterplan drifts off the Definitive Line and therefore the developer should be reminded the need for accuracy.

I note that the proposal includes provision to accommodate the public footpath on its existing line through a recreational corridor to be created within the development. Although the footpath will lose its rural character for the length of the development, the provision for retention of the footpath as shown will reduce this impact and therefore I have no objections in principle. However, the public footpath will be a key non-motorised link between the proposed development and existing amenities located off site and also an important gateway to the recreational network of footpaths around Melton. Therefore, the length of Public Footpath E17 which runs through the site should be provided with a sealed all-weather surface. I suggest the following conditions and informatives are applied to any planning permission granted:

Conditions

1) No development shall commence on site until a Footpath management plan has been submitted to and approved in writing by the Local Planning Authority. Such a plan shall include details of any temporary diversion, fencing, surfacing, signing and a timetable for provision. The development shall be carried out in accordance with the agreed scheme and timetable.

Reason: To ensure the Public Right of Way is safe and available during the period of construction.

2) The development hereby permitted shall not be occupied until such time as the Public Footpath E17 has been provided in full with a 2 metre wide tarmac surface, with a minimum 1 metre grass verge on either side. In accordance with the County Council's Guidance Notes for Developers, which are incorporated within the Leicestershire Highway Design Guide.

Reason: To provide an all-weather route in the interests of amenity, safety and security of users of the Public Right of Way in accordance with Paragraph 75 of the National Planning Policy Framework 2012.

Informatives

The Public Footpath must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980

The Public Footpath must not be enclosed in any way without undertaking discussions with the local Highway Authority (telephone 0116 305 0001). If the developer requires the Footpath to be temporarily diverted or closed, for a period of up to six months, to enable construction works to take place, an application should be made to roadclosures@leics.gov.uk at least 8 weeks before the temporary diversion / closure is required.

Any damage caused to the surface of the Public Footpath, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.

No new gates, stiles, fences or other structures affecting the Footpath, of either a

temporary or permanent nature, should be installed without the written consent of the Local Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and Leicestershire County Council as Local Highway Authority may be obliged to require its immediate removal

LLFA

Leicestershire County Council as LLFA advises the Local Planning Authority that the proposed development would be considered acceptable to Leicestershire County Council as the LLFA if the following planning conditions are attached to any permission granted.

1. Advice - Surface Water (Condition)

Condition

No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority.

Reason

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

Note to Applicant

The scheme shall include the utilisation of holding sustainable drainage (SuDS) techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features.

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenarios for the 1 in 1, 1 in 30 and 1 in 100 year plus climate change return periods.

2. Advice – Construction Surface Water Management Plan (Condition)

Condition

No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.

Reason

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

Note to Applicant

Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

3. Advice - SuDS Maintenance Plan & Schedule (Condition)

Condition

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

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 sustainable drainage system within the proposed development.

Note to Applicant

Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system, and should also include procedures that must be implemented in the event of pollution incidents within the development site.

4. Advice – Infiltration Testing (Condition)

Condition

No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.

Reason

To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.

Note to Applicant

The results should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach.

General Information for Local Planning Authority and Applicant

Land Drainage Consent

If there are any works proposed as part of an application which are likely to affect flows in a watercourse or ditch, then the applicant may require consent under Section 23 of The Land Drainage Act 1991. This is in addition to any planning permission that may be granted.

Guidance on this process and a sample application form can be found at the following:

<http://www.leicestershire.gov.uk/Flood-risk-management>

Maintenance

Please note, it is the responsibility of the Local Planning Authority under the DEFRA/DCLG legislation (April 2015) to ensure that a system to facilitate the future maintenance of SuDS features can be managed and maintained in perpetuity before commencement of the works.

Historic England

Do not wish to offer any comments on the application.

LCC Archaeology

If planning permission is granted the applicant must obtain a suitable written scheme of Investigation (WSI) for both phases of archaeological investigation from an organisation acceptable to the planning authority. The WSI must be submitted to the planning authority and HNET, as archaeological advisors to your authority, for approval before the start of development. They should comply with the above mentioned Brief, with this Departments Guidelines and Procedures for Archaeological Work in Leicestershire and Rutland, and with relevant Institute for Archaeologists Standards and Code of Practice. It should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.

We therefore recommend that any planning permission be granted subject to the following planning conditions (informed by paragraphs 53-55 of DoE Circular 11/95), to safeguard any important archaeological remains potentially present:

1) No demolition/development shall take place until a programme of archaeological work, has been detailed within a Written Scheme of Investigation, submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- The programme and methodology of site investigation and recording
- The programme for post-investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

2) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (1).

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

Reason: To ensure satisfactory archaeological investigation and recording
The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.

The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.

Environment Agency

The location of the development is in flood zone 1, it does not fall under the categories of a high risk to the environment, or offering significant environmental benefit. Therefore we do not wish to comment on these proposals; our standing advice applies.

Other LCC Developer Contributions

Civic Amenity: The Civic Amenity contribution is outlined in the Leicestershire Planning Obligations Policy. The County Council considered the proposed development is of a scale and size which would have an impact on the delivery of Civic Amenity waste facilities within the local area.

The County Council has reviewed the proposed development and consider there would be an impact on the delivery of Civic Amenity waste facilities within the local area because of a development of this scale, type and size. As such a developer contribution is required of **£23,971.00** (to the nearest pound).

The contribution is required in light of the proposed development and was determined by assessing which Civic Amenity Site the residents of the new development are likely to use and the likely demand and pressure a development of this scale and size will have on the existing local Civic Amenity facilities. The increased need would not exist but for the proposed development.

The nearest Civic Amenity Site to the proposed development is located at Melton Mowbray and residents of the proposed development are likely to use this site. The calculation was determined by a contribution calculated on 290 units multiplied by the current rate for the Melton Mowbray Civic Amenity Site of £82.66 (subject to Indexation and reviewed on at least an annual basis) per dwelling/unit = £23,971 (to the nearest pound).

This would be used to mitigate the impacts arising from the increased use of the Civic Amenity Site associated with the new development (In 2012/13 (latest figures available) the Civic Amenity Site at Melton Mowbray accepted approximately 5,006 tonnes per annum) for example by the acquisition of additional containers or the management of traffic into and out of the Civic Amenity Site to ensure that traffic on adjoining roads are not adversely affected by vehicles queuing to get into and out of the Civic Amenity Site.

Each household in Leicestershire in 2012/13 delivered on average approximately 0.276 tonnes of municipal waste to a Civic Amenity Site. On this basis the proposed development of 290 dwellings would generate over 80 tonnes of additional Civic Amenity waste at the Melton Mowbray Civic Amenity Site. The proposed development would place additional demand on the Melton Mowbray Civic Amenity Site and the request for the Civic Amenity developer contribution would meet the

demands placed on the site as a result of the proposed development.

Libraries

The library facilities contribution is outlined in the Leicestershire Planning Obligation Policy (adopted 3rd December 2014). The County Council consider the proposed development is of a scale and size which would have an impact on the delivery of library facilities within the local area.

The proposed development on Nottingham Road, Melton is within 2km of Melton Library on Wilton Road Melton being the nearest local library facility which would serve the development site. The library facilities contribution would be £8600(rounded up to the nearest £10).

It will impact on local library services in respect of additional pressures on the availability of local library facilities. The contribution is sought for research e.g. books, audio books, etc. for loan and reference use to account for additional use from the proposed development. It will be placed under project no. MEL014. There are currently three other obligations under MEL014 that have been submitted for approval. Subject to change due to future priorities of the library service.

The Leicestershire Small Area Population and Household Estimates 2001-2004 gives the settlement population for Melton at approximately 25,890 people. The library has an active borrower base of 6,157 people. However post code analysis demonstrates that Melton Library attracts usage from a much wider catchment of 32,550 through additional borrowers who live outside the settlement area but come into Melton for work, shopping or leisure reasons.

Active users of Melton Library currently borrow on average 16 items a year. The national performance indicator NI9 measures the percentage of adults who have used a public library service in the past 12 months (the latest figure is Oct 08 - Oct 09) and for Leicestershire this figure is approximately 48%. This figure would be higher if children were factored into the equation.

Consequently the proposed development at Nottingham Road Melton is likely to generate an additional 410 plus users and would require an additional 989 items of lending stock plus reference, audio visual and homework support material to mitigate the impacts of the proposed development on the local library service.

The County Council consider the library contribution is justified and is necessary to make the development acceptable in planning terms in accordance with the relevant national and local policies and the additional demands that would be placed on this key infrastructure as a result of the proposed development. The contribution requirement is directly related to the development because the contribution is to be used for the purpose of providing the additional capacity at the nearest library facility to the proposed development which is at Melton.

It is considered fair and reasonable in scale and kind to the proposed scale of development and is in accordance with the thresholds identified in the adopted policies and to meet the additional demands on the library facilities at Melton which would arise due to this proposed development.

The request is based on the following formula for library facilities contributions

10	1 bedroom houses/apartments @ £15.09 per house/apartment
290	2+ bedroom houses/apartments @ £30.18 per house/apartment
	1 bedroom student dwelling @ £10.06 per house/apartment

NHS – Latham House Medical Practice (East Leicestershire & Rutland CCG)

£182,593.34

East Leicestershire & Rutland CCG is responsible for primary medical care for the population residing within this development under its delegated responsibility under co-commissioning. As part of this responsibility, the CCG financially supports estates infrastructure based on need but limited by budgetary constraints. In order to manage the estates provision effectively the CCG will continue to request S106 contributions.

Based on evidence provided by the Practice (average occupancy of 2.42 people per dwelling), the development will generate an additional 701.8 patients.

Based on Department for Health calculations in HBN11-01: Facilities for Primary and Community Care Services, this demonstrates that the increase in the practice list will create additional pressure on clinicians and admin teams. The indicative size and cost of a new development has been calculated based on current typical sizes of new surgery projects factoring in a range of list sizes, recognizing the economies of scale in larger practices. As such, a contribution of £182,593.34 has been requested.

Melton Borough Council Open Spaces

Open Space Typology	Standard (ha/1000 population)	Requirement (ha) for 18/00359/OUT (based on 2.4 occupants/dwelling)
Parks and Gardens	1.92	1.34
Natural and semi-natural greenspace	1.38	1.14
Amenity greenspace	0.77	0.54
Provision for children and young people	0.13	0.09
Allotments	0.38	0.26
Playing Pitches	Requirement (ha/1000 population)	Requirement for this application
Football pitches	0.41	0.29

Melton Country Park

A request has been received for contributions towards upgrading approximately 300 metres of paths within Melton Country Park, at a cost estimated at approximately £50,000. It is proposed that this cost is split equally between this application and

Richborough Estates, i.e. **£25,000** each.

This request follows the requirement by policy SS5, T1 (f), which is worded as follows:

‘The Melton Park Greenway – a series of measures that improve accessibility and the attractiveness of walking and cycling connections through the Melton Country Park to the town centre Melton Local Plan, and other town attractors such as employment, education and retail.’

Appendix B : Summary of representations received

Principle of Development

Shame to lose green fields and agriculture, but we need housing.

Why is the expansion of the town again being considered in a disproportionate northerly direction without due consideration of east / west locations?

Where are buyers of the new properties going to work? Will they join the thousands of others already commuting to cities? They won't spend their money here as we have no decent shops and the development will not benefit existing retail businesses.

Is there a need for the houses? The Local Plan has a significant number of houses to be built by 2036, but they don't all need to be built now.

Highways

Would like to know the road layout of the site.

Who has determined the peak times used for traffic flows in the data? From personal observations, the peak traffic flow appears to be beginning at 15:30 when the schools finish. Combined with employment shift change overs increase the traffic across the town, in addition to commuters. The peak should therefore be widened. The houses proposed here will add to the traffic problems through additional school traffic and commuting.

Increased traffic cannot be accommodated by the current road system. The application was refused in 2014, with Council stating that no further homes could be considered until the relief road was provided. This cannot be overturned by fudging traffic data surveys.

Layout

Please advise where the social housing for the new development will be. It would not be appropriate for this to back onto the existing dwellings on Dickens Drive.

Comments from education haven't been taken on board regarding the siting of the primary school.

Excessive noise to be created by school children attending John Ferneley College and other pedestrians using the proposed pathway which will run along two boundaries of 28 Dickens Drive.

The proposed pathway to the linear parks area should be straight rather than turning along the rear garden of 28 Dickens Drive.

How will the redundant section of Nottingham Road be re-used? The masterplan highlights this area in green, however no other information is provided. To reduce air pollution this section should be planted. There is an opportunity to extend the existing vegetation running parallel to Winchester Drive, which will improve biodiversity. A revised masterplan should be submitted.

There is a road directed towards 40 Dickens Drive, headlights will shine into the back of the house.

There is a lack of green space backing onto Dickens Drive. There could be a change to the layout using the large space behind Darcy Gardens to give Dickens Drive more privacy.

Originally there was a balancing pond behind Dickens Drive, why has it moved?

Privacy & Amenity

Total loss of privacy for residents of 28 Dickens Drive

Visual intrusiveness for residents of 28 Dickens Drive

Developers should erect a brick wall to run alongside 28 Dickens Drive to prevent loss of privacy and visual intrusiveness to the rear garden of the property. This will help security too.

Hedgerow should be planted along the rear of 28 Dickens Drive to ensure privacy.

Proximity of the development to existing homes will compromise privacy and amenity. Planting will remove light which has been enjoyed for 20+ years.

Other Considerations

The pole mounted electricity transformer outside 12 Winchester Drive should be relocated to a more suitable location.

Will the electricity pole behind Dickens Drive be put under ground?

Appendix C: Recommended Conditions

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the (date to be confirmed) and the development to which this permission relates shall begin no 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. Except for the details of vehicular access into the application site from Nottingham Road, details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

2. The development hereby approved shall be for no more than 290 dwellings in addition to a local centre comprising 200m² GEA for Class A1, A2, A3 and A4 uses, up to 250m² GEA Class B1 business floorspace, a Class D1 one-form primary school, open space and associated infrastructure.
3. Should the first reserved matters application be for two or more phases of development, prior to the submission for any applications for reserved matters, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall provide the sequence and timing of development across the site, including:
 - a) The provision of all major infrastructure, including accesses, roads, footpaths and cycleways;
 - b) Residential dwellings (including affordable units);
 - c) Public open space, including a Local Equipped Area for Play (LEAP);
 - d) Primary School;
 - e) Local Centre;
 - f) Surface Water Drainage

The development, and the release of dwellings for occupation, shall not be carried out other than in accordance with the approved Phasing Plan.

4. No reserved matters application(s) shall be made until such time as a Design Code for the entirety of the site has been submitted to and agreed in writing by the Local Planning Authority. The Design Code shall substantially accord with the principles and parameters described and illustrated in the Design and Access Statement. All subsequently submitted reserved matters applications shall accord with the agreed Design Code.
5. No development shall take place on any phase of the development until a scheme for the provision of affordable housing as part of the phase concerned has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the Framework or any future guidance that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 15% of housing units;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved;
 - iv) the arrangements to ensure that such provision is affordable for both

- v) first and subsequent occupiers of the affordable housing; and
 v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

6. The development hereby approved shall consist of a housing mix that is fully compliant with the Council's adopted plan. The development shall provide for an appropriate mix and size of dwellings to meet the needs of current and future households in the Borough, including extra care and accessible housing having regard to the latest evidence of housing need.

7. No development shall take place until a scheme for the provision of open space, including play areas, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details of the laying out and construction of the open space, the equipment to be provided on the play areas and a timetable for its provision, in accordance with the following table:

Open Space Typology	Standard (ha/1000 population)	Requirement (ha) for 18/00359/OUT (based on 2.4 occupants/dwelling)
Parks and Gardens	1.92	1.34
Natural and semi-natural greenspace	1.38	1.14
Amenity greenspace	0.77	0.54
Provision for children and young people	0.13	0.09
Allotments	0.38	0.26
Playing Pitches	Requirement (ha/1000 population)	Requirement for this application
Football pitches	0.41	0.29

8. No work shall commence on site in respect of the local centre until such time as a scheme of mitigation of noise to existing and proposed dwellings has been submitted to and agreed in writing by the Local Planning Authority. The retail unit shall not be occupied at any time unless all agreed mitigation measures relevant to that dwelling have been implemented in full (and including in respect of any agreed limitations on externally located plant and machinery).

9. The local centre, comprising 200m² for class A1, A2, A3, A4 and A5 uses, and up to 250sqm GEA B1 business floor space shall be ready for occupation and actively marketed prior to the first occupation of the 200th dwelling on the site.

10. No part of the development hereby permitted shall be constructed above

damp proof course until such time as the access arrangements shown on Phil Jones Associates drawing number 2094-102, or superseding revised access arrangements which may be permitted as part of LCC application reference 2018/Reg3Ma/0182/LCC, have been implemented in full.

11. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.
12. No part of the development hereby permitted shall be first occupied until an amended full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.
13. No development shall commence on site until a footpath management plan has been submitted to and approved in writing by the Local Planning Authority. Such a plan shall include details of any temporary diversion, fencing, surfacing, signing and a timetable for provision. The development shall be carried out in accordance with the agreed scheme and timetable.
14. The development hereby permitted shall not be occupied until such a time as the Public Footpath E17 has been provided in full with a 2 metre wide tarmac surface, with a minimum 1 metre grass verge on either side in accordance with the County Council's Guidance Notes for Developers, which are incorporated within the Leicestershire Highways Design Guide.
15. No phase of the development approved by this planning permission shall take place until such time as a surface water drainage scheme relating to that phase has been submitted to, and approved in writing by, the Local Planning Authority.
16. No phase of the development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the phase concerned has been submitted to, and approved in writing by, the Local Planning Authority.
17. No phase of development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the phase concerned have been submitted to, and approved in writing by, the Local Planning Authority.
18. No phase of the development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element within the phase concerned, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.

19. No development of any phase of the development shall take place until a programme of archaeological work, has been detailed within a Written Scheme of Investigation, submitted to and approved by the Local Planning Authority in writing relating to that phase. The scheme shall include an assessment of significance and research questions; and:
- The programme and methodology of site investigation and recording
 - The programme for post-investigation assessment
 - Provision to be made for analysis of the site investigation and recording
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - Provision to be made for archive deposition of the site analysis and records of the site investigation
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
20. No demolition/development shall take place other than in accordance with the Written Scheme(s) of Investigation approved under condition 19.
21. No phase of the development shall not be occupied until the site investigation and post investigation assessment related to that phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 19 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
22. A detailed Great Crested Newt Strategy and Bat Mitigation Strategy for the whole site is to be submitted with the first reserved matters application, informed by additional surveys where appropriate.
23. A Biodiversity Management Plan shall be submitted with the first and each subsequent reserved matters application. Landscaping, particularly areas of open space and the green SuDs corridors throughout the site shall be in accordance with the Biodiversity Management Plans, and the layout of the development must include a green corridor with a minimum width of 5 metres to the east and south of the site.
24. All hedgerows on site shall be buffered with a minimum of 5 metres semi-natural vegetation from plot boundaries. Green corridors should be linked by utilising these buffers, in an effort to ensure that badgers can move along the edge of the development and access all areas of open space.
25. All works shall be in accordance with the recommendations in the Breeding Bird Report (Just Ecology Environmental Consultancy Ltd, March 2017) including the replacement of suitable bird boxes.
26. A suitable corridor for badgers shall be provided between Sysonby Lodge and the proposed badger tunnel under the Melton Mowbray Distributor Road. The corridor shall be of sufficient width, recommended as a minimum of 15 metres, which can include some of the landscaping associated with the

Appendix D : Applicable Development Plan Policies

Local Plan

- SS1 - Presumption in Favour of Sustainable Development.
- SS2 - Development Strategy.
- SS5 - Melton North Sustainable Neighbourhood
 - Housing (C2, C3, C8)
 - Employment
 - Community Facilities (schools, local centre)
 - Transport
 - Environment
 - Master planning and delivery
- C2 - Housing Mix
- C3 - National Space Standard and Smaller Dwellings
- C8 - Self Build and Custom Build Housing
- EN1 - Landscape
- EN2 - Biodiversity and Geodiversity
- EN4 - Areas of Separation
- EN7 – Open Space, Sport and Recreation
- EN8 - Climate Change
- D1 - Raising the Standard of Design.