

19/00245/REM Land off Field OS 0002, Leicester Road Melton Mowbray

Approval of reserved matters (appearance, landscaping, layout and scale) related to Phase 1 of the outline approval 15/00910/OUT for the erection of a total of 520 dwellings (the wider approved development) and provision of drainage associated infrastructure and public open space (Phase 1 of 17/00717/VAC /15/00910/OUT)

Applicant: Barratt Homes

1. Summary:



The application site is sited towards the south west of Melton Mowbray and comprises of agricultural land.

The site is confined by a road that runs alongside its southern boundary. Further to the north at the far end of the larger part of the site, low mature hedgerows form the boundary along the Leicester Road. Kirby Lane runs along the south with direct views into the site. On the western side there is an industrial estate. Kirby playing fields are located to the east. The development as submitted essentially consists of 236 dwellings arranged around a singular primary vehicular access point off Kirby

Lane leading to two streets which have a series of mews streets linking the main residential streets, and private driveways. A vehicular link would be provided to an adjacent future development to the north which is promoted by Bellway (19/00377/REM). There is an informal public open space area to the south west of the site, and an attenuation feature in the north which 'pinches' into the Bellway development. The original scheme submitted was for 249 dwellings, however subsequent amendments have revised the number of houses down to 236.

The submitted scheme involves of a mixture of standard house types ranging from single to three storeys of detached, semi – detached and terraced arrangements. The dwellings will range from 1 to 5 bedroomed properties. The majority of the properties would be 3 to 4 bedroomed properties.

With regard to Housing Allocations, Local Plan Policy C1 (A) (Ref – MSSN) and SS4 of the Local Plan allocates the site for residential purposes as part of the Melton South Sustainable Neighbourhood.

This current application attempts to follow on from the previously granted planning permissions relating to the site. This application seeks planning permission for the approval of reserved matters related to, appearance, landscaping, layout and scale attached to outline approval 15/00910/OUT and 17/00717/VAC for the erection of a total of 520 dwellings. The application 17/00717/VAC sought to allow the site to be brought forward in phases, hence this application for 236 dwellings of the total of 520.

By way of background a reserved matters application deals with some or all of the outstanding details of the outline application proposal, in this case these reserved matters relate to the following;

Appearance - aspects of a building or place which affect the way it looks, including the exterior of the development

Landscaping - the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen

Layout - includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development

Scale - includes information on the size of the development, including the height, width and length of each proposed building.

The details of the reserved matters application must be in line with the outline approval, including any conditions attached to the permission.

Members should also note that the permitted outline permission was subject to a S106 agreement and a condition requiring affordable housing.

2: Recommendation:

It is recommended the application is Refused

3: Reasons for Recommendation:

1. The Reserved Matters application has not sufficiently demonstrated that it would result in a form of development that would deliver good quality design and be sympathetic to the character of the locality by virtue of its appearance, landscaping, layout and scale resulting in significant harm to the form and character of the locality. As such the proposal is considered to conflict with the criteria set out within Policies D1, EN8 and EN9 of the Melton Local Plan which requires all new development to be sympathetic to the character of the area in which the site is located and the overall sustainability objectives and design matters set out within the revised National Planning Policy Framework and the advice set out within the National Design Guide.

4: Key factors:

Reason for Committee Determination

This application is being considered by the Committee in view of major significance and scale as an allocated site in the Local Plan.

Relevant Policy Context

The purpose of the planning system is to contribute to the achievement of sustainable development. The planning system is plan-led. Section 38(6) of the Planning and Compulsory Act 2004 law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

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

Please see Appendix B for a list of all applicable policies

National Design Guide (October 2019)

This guidance was published in October 2019 and sets out the characteristics of well-designed places and demonstrates what good design means in practice. The guide seeks to introduce a national standard for local authorities to adhere to in terms of achieving better designed homes. It sets out ten principles of good building, with the importance of beauty at the heart. It argues that a well designed plan should enhance the surroundings, be attractive and distinctive, fit into a coherent pattern of development, enhance and optimise nature, and provide safe, social and inclusive public spaces.

Relevant History

The site is allocated for residential development in the Melton Local Plan and outline permission for 520 units has been secured. 15/00910/OUT - Field OS 0002, Leicester Road. 13.10.16 Outline application for residential development up to 520 No. dwellings and associated convenient shop, public open space and landscaping, with (all matters except access reserved for subsequent approval) approved in subject to the completion of a legal agreement requiring the securement of the following:

- A strategic highways contribution of £8653 per dwelling - £4,500,000
- Travel Packs at £52.85 per dwelling - £27,482
- 6 month bus passes, two per dwelling £360.00 per pass - £187,200
- A Travel Plan monitoring fee of £11,337.50
- A contribution of £6,000 towards the short term and long term traffic light ('SCOOT validation') for the Thorpe Rd / Saxby Rd, Norman Way / Scalford Rd and Norman Way / Wilton Rd strategic junctions in Melton Mowbray town centre - £6,000
- A contribution of £500,000 towards a public transport bus service providing access to Melton town centre on a 30 minute frequency (Monday to Saturday) and 60 minute frequency on a Sunday.
- Education (secondary): £530,034.68
- Civic Amenity: £42,983
- Libraries: £15,690
- Police: £176,834
- A County Monitoring Contribution £4,893.20

This application was subsequently varied by way of S73 application to allow the site to be delivered in phases, reference 17/00717/VAC. A Deed of Variation was completed to the above S106 agreement.

15/00082/OUT. Development for up to 520 dwellings and associated convenience shop, public open space and landscaping, with all matters reserved, except for access. Appeal against non determination submitted and consequently withdrawn by applicant.

Bellway Homes Field OS 0002, Leicester Road, Melton Mowbray

19/00377/REM Development of 266 dwellings with associated landscaping and drainage. For consideration elsewhere on this agenda.

Main Issues

The key issues for this application are considered to be:

- Impact of appearance, landscaping, layout and scale upon the character of the area

Other Issues

- Transportation within the site layout
- Drainage arrangements as part of the layout
- Impact upon residential amenities from the reserved matters proposed
- Siting of Affordable Housing within the layout

5: Report Detail:

5.1 Principle of development

With regard to Housing Allocations, Local Plan Policy C1 (A) (Ref – MSSN) and SS4 of the Local Plan allocates the site for residential purposes. The reserved matter proposals would need to be in accordance with Policies set out within SS2 and SS4 (Sustainable Neighbourhoods) of the Melton Local Plan. Outline permission with access has already been granted.

With regard to the acceptability of the submitted reserved matters details, this is addressed below, where the proposal is assessed against the other policies of the Melton Local Plan and the revised National Planning Policy Framework.

5.2 Impact of appearance, layout, scale upon the character of the existing landscape and surrounding locality

In assessing this proposal, Local Plan Policy D1 states all new developments should be of high quality design. All development proposals would be particularly assessed to accord with all the following criteria:

- Siting and layout must be sympathetic to the character of the area;
- New development should meet basic urban design principles outlined in this plan and any accompanying Supplementary Planning Documents (SPD);
- Buildings and development should be designed to reflect the wider context of the local area and respect the local vernacular without stifling innovative design;
- Amenity of neighbours and neighbouring properties should not be compromised;
- Appropriate provision should be made for the sustainable management of waste, including collection and storage facilities for recyclable and other

waste;

- Sustainable means of communication and transportation should be used where appropriate;
- Development should be designed to reduce crime and the perception of crime.
- Existing trees and hedges should be utilised, together with new landscaping, to negate the effects of development;
- Proposals include appropriate, safe connection to the existing highway network;
- Performs well against Building for Life 12 and seeks to develop the principles of 'Active Design' for housing developments;
- Makes adequate provision for car parking; and
- Development should be managed so as to control disruption caused by construction for reasons of safeguarding and improving health well-being for all.

The above requirements apply notwithstanding the fact that an outline application for residential development has already been granted planning permission. Members will be aware of the recent changes set out within the revised NPPF, this is a material consideration in the determination of this application. It strengthens design policy, reconfirming the presumption of sustainable development and that it needs to be pursued in a positive way. Planning decisions are required to play an active role in guiding development towards sustainable development, but in doing so they are also required to also take local circumstances in to account, to reflect the character, needs and opportunities of each area. The revised NPPF makes it clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve.

A well designed place is likely to be achieved by making the correct choices on the layout, the form and scale of the proposed buildings. Good design in is viewed as a key aspect of sustainable development. Developments are required to be visually attractive as a result of good architecture, layout, scale, design and appropriate and effective landscaping. The revised NPPF also provides strong support for planning authorities to ensure that the quality of approved developments does not become materially diminished between the original consent, as a result of subsequent changes being made to the scheme that had earlier been supported.

Good design has been shown to affect general health, well- being, feelings of safety, security, social inclusion and community cohesion. The long-lasting fundamental principles for achieving good sustainable design are that it is fit for purpose and durable. The proposal was considered by a Design Panel (One Environment Ltd). Amongst other things, this established the importance of the relationship between brick, mortar, window and door colours as being important in creating a quality environment. Furthermore it was recognised that the attenuation area seemed over engineered and would benefit from a more natural appearance. It also highlighted the need for coordination between the current proposal and the proposed development on the northern site, which it is considered has not been achieved. It was noted there was an array of parking spaces and formats.

This development seeks to develop former agricultural fields with a distinctive topography, and a green setting to the locality. Any development of this important site should be designed not only to protect the visual amenities of surrounding occupiers, but also biodiversity and also to consider the impact upon the wider character of the area. The applicants view is that the scheme is of a sufficient quality for the grant of reserved matters. Having carefully considered and reviewed the submitted drawings and material documents, this is not the conclusion professionally reached.

The revised NPPF specifically requires design quality to be considered throughout the evolution and assessment of individual proposals. Members should note that we have sought to encourage the developers to use best practice in their approach to the layout and the built form, designing well-defined streets and delivering high quality public spaces that are easy to navigate your way around. This advice has been in the main disregarded. The current proposal fails to respond positively to the local context and setting, including reinforcing local identity and character, or be physically and functionally integrated into its existing environment in a positive and inclusive manner. The submitted scheme has a number of serious design faults which conflict with the Melton Local Plan Policy D1.

The applicants amendments have failed to provide the following alterations to enhance the design quality;

- Removing random placed dwellings;
- Improving the general cramped housing layout throughout the site;
- Providing more attractive housing rather than the current uniform identikit;
- Introduction of a more attractive range of external surfacing materials;
- Introduction of chimneys to help break up the extensive roofscapes and individual buildings;
- Provision for incorporating a variety of front entrance doors with a different styles and colours to improve the appearance;
- More space and consideration given to the provision of enhanced landscaping and biodiversity measures within the site;
- There is a lack of distinctive planting and enhanced landscaping within the residential development;
- The applicants have failed to provide distinctive character areas within the layout;
- The site is pepper potted with unsuitable poorly designed courtyard parking areas as a design solution;
- Garages intrude onto the private amenity areas of individual properties which was not a design solution provided at outline stage;
- Some properties have tandem parking for 4 and 3 vehicles;
- The use of drop down bollards as a traffic management control on a residential estate is also not a good design solution.

This development as proposed would fail to comply with the guidance set out within the Local Plan and the revised National Planning Policy Framework requiring new developments to promote good design with regard to scale, massing, height, landscape layout, materials and the provision of public space. The NPPF identifies

the creation of high quality places and buildings as being fundamental to what good planning should achieve.

In assessing this proposal further, the submitted Design and Access Statement is very poor, and the latest additional supplementary Design Code fails to carry out a detailed analysis of the scheme and therefore draws inappropriate conclusions. The applicants have not provided any evidence that the scheme was reviewed by an appropriately qualified and experienced urban design practitioner from their side. The applicant has not produced any convincing evidence of how the proposed rectangular building blocks with extensive roofscape would fit in harmoniously into its surroundings. The proposed layout plan does not seek to enhance or respect the semi rural or landscape setting. The plot sizes and modern garages are all largely uniform. It represents a design meant for a much more urban environment rather than respect its current setting. The proposal fails to achieve a sufficiently high quality scheme which is a locally distinctive design and a sustainable form of development.

The development as proposed would have a clear urbanising impact on the existing character of the locality particularly on views into and outside the site. The development would essentially introduce an incongruous and intrusive form of alien form of development into what is an open field and adversely affect the character of the landscape. This proposal would not deliver a scheme that includes high levels of soft landscaping with attractive appropriately proportioned homes. It lacks a balanced composition. The plot sizes remain largely uniform in terms of scale, siting and appearance and there is no diversity in the general design and appearance of the individual dwellings. The development has been designed around a poor street hierarchy which also fails to provide an associated variety of attractive building types and sizes. Even though housing numbers have been reduced somewhat, homes appear to have been randomly squeezed in. The proposal seeks to deliver a standard layout utilising minimal mitigation measures which would not compensate for a poorly designed scheme.

The applicants have not sought to create vistas and individual landscaped character areas throughout the proposed development, or utilise various design techniques to enhance the residential environment for future occupiers. These include the siting and design of individual houses to form nodal areas on key junctions providing focal points along the main avenues and to project a cohesive identity. Well designed homes sustain their attractiveness over the long period. They need to add to the quality of the area and their users, and should be functional, accessible and sustainable. They should also seek to provide environments that support health and well being as well.

Paragraph 130 of the revised NPPF clearly states that permission should be refused for the development of poor design that fails to take into account opportunities available for improving the character and quality of an area and the way it functions.

Turning to landscaping, the site and its environs currently provide an open lung and it is recognised that it has significant intrinsic value for local residents. Inadequate buffers areas have been provided, the creations of a hard standing as a design

feature does not work. Insufficient space has also been designed to allow for enhanced semi mature street trees and general planting allowing for the creation of attractive frontages along the main avenues and to provide for a defined street scale through out the development. A small open space/play area has been provided towards the front part of the site. This space is inadequate and has not been facilitated with good design principles in mind nor is it an integrated feature as a function for the whole community to access. The proposal also fails on this issue.

Other Issues

5.3 Transportation Matters

Details of access were agreed at outline stage. The scheme has been designed with standard highway layout arranged to specifically meet the requirements of the Highway Authority and not necessarily with the aim achieving good design and planning. The applicants continue to propose to utilise the main vehicular access located off Kirby Lane. No specific objections are raised on this issue.

The Highway Authority have concluded on this reserved matters submission that there would be no unacceptable impacts on highway safety or residual cumulative impacts on the surrounding network to prevent or frustrate planning permission being granted.

5.4 Drainage

The revised NPPF recognises that inappropriate development in areas of risk of flooding should be avoided. Where development is necessary it should be made safe for its lifetime without increasing flood risk elsewhere. Considerable detailed discussions have taken place on this issue at the outline stage.

5.5 Impact upon residential amenities

In assessing this element of the proposal, Members should note that on the whole the layout maintains an absolute minimum level back to back relationship which allows for levels of privacy for future residents. However any subsequent negotiations on the layout should seek to improve these separation distances.

5.6 Siting of Affordable Housing

Members should note that a condition was attached to the outline permission seeking the provision of affordable housing requiring a 15% provision and an appropriate tenure split. This is unaffected by the proposals. However Members should note that the units are clustered together in the poorer parts of the site, their plot sizes and amenity areas are “not tenure blind.” These matters would need to be addressed and fully resolved in any future discussions/scheme.

6.0 Conclusion

The previous outline planning permission effectively established the principle of the development proposed. However, taking the submitted reserved matters details as a

whole, it is considered that the proposals have not been well designed to be sympathetic to the local character and would result in the creation of a poor visual environment. Consequently, the details relating to the appearance, landscaping, layout and scale are considered inappropriate. With regard to the appearance, the proposed dwellings would be of modern appearance and of brick and tiled construction. However the place making agenda promoted by the Government and Planning Policy would not be achieved or secured by the current proposal.

In conclusion, it is considered that this scheme is contrary to both the Local Plan Policies set out above, and the aims and objectives of the revised National Planning Policy Framework which seek to deliver high quality design. In examining the patterns of the built form, the routes and spaces between them have not been utilised to inform the layout, form and scale instead reliance has been placed on an over engineered highway solution. The subsequent minimalist planting arising from this approach would not compensate for the visual intrusion of the proposed development. This development would have an important gateway impact on the character of the locality. It is considered that the proposal would not comply with Policy D1 of the Melton Local Plan which in particular requires new development to be of high quality design where siting and layout must be sympathetic to the character of the area and the aims and objectives of the revised NPPF. This scheme has not been designed to be sympathetic or reflect the local character, or create a strong sense of place or neighbourhood within a balanced landscape setting.

The developers have refused to amend the scheme further and request a determination of the proposal as submitted at this stage. Whilst the principle of residential development has been previously accepted, this proposal would detract from the principles previously agreed. Little supporting information has been provided to demonstrate that the proposed development would promote energy efficiency and low carbon generation or recognise and mitigate for the impact of climate change by promoting sustainable design and building methods. These form additional reasons for refusal on design grounds. The proposal is considered to conflict with Policies D1, EN8 and EN9 of the Melton Local Plan, the sustainable design objectives of the revised NPPF and the National Design Guide.

The proposal **fails to deliver a good quality scheme and refusal is recommended** for the reasons set out above.

Consultation & Feedback

Surrounding occupiers were notified and site notices posted. **2 Letters of representation have been received.**

These concerns can be summarised as follows;

House types

The house types proposed are a strange mix for the area, there are some very nice 2 beds, narrow looking 3 beds and the some very large 4 beds with a shower to the en-suite, but no shower but no shower to the main bathroom in addition to a tub.

There are some tall 4 beds proposed. Looking at other developers house types, there is almost always a second shower in a 4 bedroom detached house that will cost upwards of £300,000.

House types could do with reviewing a little.

Highways

I like the hedgehog highways that have been proposed, I think this is important given what the site is currently.

There needs to be some traffic calming between Kirby Lane and Leicester Road for anybody walking with children/pushchairs once the site becomes more established.

Residential Amenity

Assurances need to be made that trees will not be removed and privacy will be maintained.

Relevant Financial Implications:

A S106 Agreement was signed and varied as part of outline planning applications 15/00910/OUT and 17/00717/VAC as detailed above.

Background Papers:

Planning Application File 15/00910/OUT - Outline application for residential development (up to 520 dwellings) and associated infrastructure (all matters except access reserved for subsequent approval) approved in October 2016 subject to conditions and the completion of a legal agreement

Planning Application File 17/00717/VAC – S73 application to vary conditions relating to 15/00910/OUT to allow the site to be brought forward in phases. This was subject to a Deed of Variation to the S106 legal agreement signed in respect of 15/00910/OUT.

Appendices:

A: Summary of Consultation responses
B: List of Planning Policies

Report Timeline:

Assistant Director Approval

12 November 2019

Report Author: Mrs Sarah Legge, Local Plans Manager

☎: 01664 502380

Appendix A : Summary of Consultation responses

REVISED PLANS

LCC Ecology

No comments.

LCC – Highway Authority

No objections subject to conditions.

LCC – Lead Local Flood Authority

No objections and refer to standing advice

LCC – Archaeologist

No objections site has been subject, to archaeological fieldwork with the last phase being the area excavations. We are currently awaiting the results of that work.

LCC Developers contributions

No comments to offer

MBC – Regulatory Services

Noise and vibration is a significant constraint to development to both sites due to the A607 Leicester Road, Kirby Lane and adjacent industrial estate. This is correctly reflected in the broad scope of assessment undertaken Wardell Armstrong's.

The Agents attempt to extricate the Developer from an inconvenient condition does not exonerate them of their obligations under the NPPG-Noise and NPSE.

Developers are expected to present development plans that are appropriate for the location. With reference to my consultation comments dated 18 July 2019, the opinion of Environmental Health is that the existing appraisal of the noise environment and proposed mitigation scheme falls short of achieving the standards set out in guidance.

Should the Developer proceed with a design where acoustics issues fall outside of the planning regime, Environmental Health would consider enforcement action under S60 of the Control of Pollution Act 1974 to control noise during the construction phase. Moreover, should Environmental Health receive resident complaints from the new development post occupation, Environmental Health would not be in a position to take enforcement action under S80 of the Environmental Protection Act 1990 for any noise nuisance that has occurred due to the inaction of the Developer at the planning state. We would refer these residents to the Developer and their agents.

Leicestershire Police – Designing out Crime Officer

No formal objection, request Sec 38 agreement to enable use of CCTV facilities.

Environment Agency

No formal observations

Historic England

No comments to offer

Severn Trent

No objections subject to conditions

Appendix B : Applicable Development Plan Policies

Local Plan

- Policy SS1 Presumption in Favour of Sustainable Development.
- Policy SS2 Development Strategy
- SS4 – Melton South Sustainable Neighbourhood
- Policy C1 (A) – Housing Allocations
- Policy C2 Housing Mix - seeks to manage the delivery of a mix of house types, tenures and sizes to balance the current housing offer;
- Policy EN2 – Biodiversity & Geodiversity seeks to achieve net gains for nature and seeks habitat creation as part of all new development proposals;
- Policy EN8 – Climate Change states all new development proposals will be required to demonstrate how the need to mitigate and adapt to climate change has been considered:
- Policy EN9:- Energy Efficiency/ Low Carbon developments required to demonstrate how carbon emissions have been reduced;
- Policy EN11 - Minimizing Flood Risk seeks to ensure development proposals

do not increase flood risk and will seek to reduce flood risk to others:

- Policy EN12 – Sustainable Drainage Systems seeks to ensure that properties are not at risk from surface water flooding allowing for climate change effects.
- Policy IN2: Transport, Accessibility and Parking