

## Chapter 9: Managing Development

- 9.1 Development Management is the process of working with developers to facilitate development<sup>1</sup> whilst protecting the environment through the granting or refusal of planning permission and controlling unauthorised developments.
- 9.2 The Local Plan sets out strategic policies based on the outcomes of evidence and consultation. These overarching policies will guide the future development of the Borough but will not provide the level of detail required to adequately assess planning applications. It is therefore necessary to develop more detailed policies to support the implementation of the Local Plan vision and objectives and to pick up on issues that that are not adequately addressed by the strategic policies.
- 9.3 However the Borough Council is not starting from scratch. [The Melton Borough Local Plan 1999](#) currently contains policies that are used as the basis for assessing planning applications. Under the provisions of the Planning and Compulsory Purchase Act 2004, the Council has ‘saved’ policies (see Appendix 2) until such time they are replaced by policies in the new Melton Borough Local Plan or they become out of date.

### 9.4 Design

- 9.4.1 The National Planning Policy Framework ([NPPF](#)) requires that planning should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.
- 9.4.2 Many of the policies included in this plan will affect the design of development proposals. These policies address the following factors:
- How sustainable drainage systems have been incorporated into the design from the outset;
  - Materials, quality and local character;
  - Setting, impact on the settlement and views to and from the development;
  - Landscaping, setting;
  - Context/character how it relates to existing but creates its own character and a strong sense of place, reflecting heritage assets whilst being innovative;
  - Designing out crime, including lighting, natural surveillance and defensible space;
  - Open space and Green Infrastructure, running through the development and connecting into the development;
  - Biodiversity, impacts and opportunities;

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<sup>1</sup> Development includes: Housing, commercial, industrial buildings working and the use of land and buildings.

- Sustainability (energy efficiency and low carbon generations, carbon emissions, sustainable drainage etc.);
- Scale of development and relationship with its surroundings;
- Entrance and exit design, creating gateways and attractive routes; and
- Accessibility for all potential users of the development.

9.4.3 A specific design policy has been included in the plan to help address the objective set out in the NPPF to “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. A Supplementary Planning Document (SPD) will be prepared to provide more detailed advice and guidance about what is considered to be good design in a local context.

### **Building for Life 12**

9.4.4 Building for Life 12 (BfL12) is a government and industry-endorsed tool which can help create well-designed homes and neighbourhoods. It is designed to reflect the requirements of the NPPF and National Planning Practice Guidance (NPPG) by asking 12 questions which determine how well a residential proposal delivers high quality design and a good standard of amenity. Based on a traffic light system, the aim is to achieve as many ‘greens’ as possible, challenge ‘ambers’ and avoid ‘reds’. A red indicator suggests that one or more aspects of the design need to be considered and resolved; ambers indicate a need for further discussion or refinement; and greens indicate one or more aspect of the scheme have been well considered and resolved.

9.4.5 It is recommended that BfL12 is used as early in the design process as possible in order to identify aspects of a proposal that are of concern or those that need some attention. The Council encourages its use as a basis for pre-application discussions for residential proposals.

### **Active Design**

9.4.6 Active Design is a set of design guidelines to get people moving through suitable design and layout of new housing developments. It has been developed by Sport England and Public Health England in response to an increasing prevalence of obesity and inactivity amongst both adults and children nationally. Active Design consists of the following ten principles:

- Activity for All: neighbourhoods, facilities and open spaces should be accessible to all users and should support sport and physical activity across all ages.
- Walkable Communities: homes, schools, shops, community facilities, workplaces, open spaces and sports facilities should be within easy reach of each other.

- Connected Walking and Cycling Routes: all destinations should be connected by a direct, legible and integrated network of walking and cycling routes.
- Co-location of Community Facilities: the concentration of retail, community and associated uses to support linked trips should be promoted.
- Network of multi-functional open space in order to support a range of activities including sport, recreation and play plus other landscape uses including SuDS, woodland, wildlife habitat, allotments and orchards.
- High quality streets and spaces: employment of high quality, durable materials, street furniture and signage.
- Appropriate infrastructure to enable sport and physical activity to take place across all contexts including workplaces, sports facilities and public space.
- Active buildings: the internal and external layout, design and use of buildings should promote opportunities for physical activity.
- Management, maintenance, monitoring and evaluation: long-term maintenance and viability of sports facilities and public spaces should be considered in their design.
- Activity promotion and local champions: health promotion measures and local champions should be supported to inspire participation in sport and physical activity across neighbourhoods, workplaces and facilities.

9.4.7 Active Design can be used as a tool to inform the design and layout of development and assist in pre-application discussions. The Council will use its design guidelines in the determination of planning applications.

### Policy D1 – Raising the Standard of Design

All new developments should be of high quality design. All development proposals will be assessed against all the following criteria:

- a) Siting and layout must be sympathetic to the character of the area;
- b) New development should meet basic urban design principles outlined in this plan and any accompanying Supplementary Planning Documents (SPD);
- c) Buildings and development should be designed to reflect the wider context of the local area and respect the local vernacular without stifling innovative design;
- d) Amenity of neighbours and neighbouring properties should not be compromised;

- e) Appropriate provision should be made for the sustainable management of waste, including collection and storage facilities for recyclable and other waste;
- f) Sustainable means of communication and transportation should be used where appropriate;
- g) Development should be designed to reduce crime and the perception of crime.
- h) Existing trees and hedges should be utilised, together with new landscaping, to negate the effects of development;
- i) Proposals include appropriate, safe connection to the existing highway network;
- j) Performs well against Building for Life 12 **or any subsequent guidance** and seeks to develop the principles of 'Active Design' for housing developments;
- k) Makes adequate provision for car parking; and
- l) Development should be managed so as to control disruption caused by construction for reasons of safeguarding and improving health well-being for all.

### **Siting and Layout**

9.4.8 The siting and layout must be sympathetic to the character of the area in terms of its street layout, appearance (in terms of urban form, architecture and hard and soft landscaping).

9.4.9 All new developments should meet the basic 'urban design' principles:

- a) **Connections with the existing urban structure:** well related to the traditional street pattern and allowing for future links. Developments that preclude future development of adjoining land or prevent potential links to wider networks should be avoided;
- b) **Legible places:** New development should allow places to be easily understood by their users, particularly when moving around. Legible places can be created by:
  - Locating landmark buildings in prominent locations;
  - Creating groups of buildings with strong character (including residential and commercial uses);
  - Creating open spaces and use of street trees and vegetation
  - Using topography and important features in the landscape (watercourses and other water areas, feature trees and hedges, manmade and natural features) to help give an area a strong character and distinctiveness;

- Enable a variety of uses to create character areas and features.

Anonymous estates with 'off the peg' house types and which rely on a standardised hierarchy network of loop roads and cul-de-sacs should be avoided unless there are no other solutions. Innovative street design that uses high quality materials, street trees, street form and floorspace will be encouraged where these are safe and can be adequately maintained;

- (c) **Permeable streets:** Streets should be 'permeable' for all users and ensure ease of movement between homes, jobs and services, pedestrians and cyclists should normally be given priority. All schemes should have safe, easy access to the existing network of streets and footpaths. Large scale schemes, such as sustainable urban extensions, will be required to create links that maximise sustainable transport modes and seek to minimise journey distances to important services and facilities. Direct links should be a fundamental part of the design process and not inserted as an afterthought;
- d) **Active streets:** All new developments should have 'active edges' of new buildings fronting the street. Residential developments should have their 'fair face' fronting streets and other public spaces. Developments that 'turn their back' on public areas (streets, parks, footpaths etc) should be avoided;
- e) **Mix of uses:** Creating a mix of uses on large sites to include residential, retail, employment and community uses (schools / health facilities / libraries / community halls) etc will help to create character areas and will encourage activity in the street at various times of the day;
- f) **Scale and massing:** The scale and massing of buildings (in terms of height, bulk and relationship with the street) is a key consideration in creating effective spaces. Buildings of inappropriate scale and mass can have an adverse impact on the amenity of streets, spaces and other buildings by adversely affecting the sense of openness or creating an inappropriate relationship with the street in terms of: enclosure; loss of aspect; loss of light; or loss of privacy. In some cases continuity and enclosure of building frontages are important to reflect the character of the area;
- g) **Density :** Density of new development should be sympathetic to its context but should also seek to maximise the use of land as a scarce resource;

- h) **Design and materials:** Building materials in new developments should be sympathetic to the character of the area in terms of detail, craftsmanship, texture, colour and treatment. Materials should be hard wearing and capable of being maintained in good order. The use of innovative materials will not be discouraged unless their use would cause demonstrable harm to the character of the area;
- i) **Landscape and streetscape:** Landscaping (hard and soft) and creation of public spaces should be an integral part of the design of new schemes. High quality landscape helps to make new developments more attractive and also has benefits to the microclimate (through shading and planting) and addressing surface water drainage through creation of swales or similar. The use of street 'floorscape' and high quality surfacing materials can help to create distinctive areas.

### **Buildings and development in context**

9.4.10 New development must respect the character of the local area and the wider setting and the qualities that make it distinct from other areas. New development should sympathetic to the local area in terms of scale, massing, design, materials, landscaping and architectural detailing.

### **Protecting amenity**

9.4.11 The development should not adversely affect neighbours and nearby uses and occupiers by reason of being overbearing, overlooking, loss of privacy, loss of light, pollution (including that from artificial light) and other forms of disturbance.

### **Waste facilities**

9.4.12 New development should incorporate appropriate facilities for the storage and sustainable management of recyclable and other waste.

### **Sustainable communication and transport**

9.4.13 New developments should make adequate provision for the storage of bicycles, the potential to create 'hook-up' facilities for electric cars and connecting to broadband networks.

### **Crime prevention**

9.4.14 The potential to reduce the risk of crime and anti-social behavior **and to promote public safety** should be maximised through the design and layout of new development. Opportunities for safe and active streets and natural surveillance should be explored and 'hard' measures should be a last resort. Crime prevention measures must not be at the expense of overall design

quality or social inclusivity. Gated communities, for example, will not normally be permitted.

### **Landscaping and existing trees and hedges**

9.4.15 New development should include adequate landscaping in the interests of visual amenity, softening the impacts of development, providing new opportunities for bio-diversity, having a positive impact on surface water drainage and resilience to climate change.

9.4.16 Landscaping should use appropriate native and local species of plants which are, where possible, resilient to climate change.

9.4.17 Development proposals should not result in the loss of trees and hedgerows which are important features.

### **Impact on the highway network**

9.4.18 New development should be designed and located so that it is able to provide suitable access and can be accommodated without adverse impact on the local and wider highway network. Where on or off-site works are required to mitigate the transport impacts of development, the applicant will be required to demonstrate the impacts of these measures in ameliorating any problems, and that the scheme is technically possible and is viable. Development that would have severe residual cumulative impact on the highway network will not be permitted.

### **Design Review**

9.4.19 Design Review is a tried and tested method of promoting good design and is a cost effective way to improve quality. Applicants will be encouraged to engage in design review for all new major developments.

## **9.5 Equestrian Development**

9.5.1 Horse riding is a popular activity in the Borough and can be a good means of diversifying the rural economy. Equestrian use is an appropriate use in the countryside but care is needed to minimise the impact of development proposals on the character of the rural area.

9.5.2 The NPPF states at Paragraph 73 that access to high quality opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. Melton Borough, being predominantly rural in nature, has a number of equestrian businesses and individuals with an interest in taking part in equestrian activities.

9.5.3 The requirement for formal planning permission is dependent upon the proposed use of the land. The use of land for grazing, for example, does not require planning permission, as per Section 336 of the Town and Country

Planning Act 1990. Planning permission would, however, be required where horses are kept on the land. Kept, in this instance refers to the existence of a built shelter (be it stable or field shelter) or where horse-feed is supplemented beyond grazing. Where this is the case, planning permission would be required for a change of use from agricultural to equestrian.

## **Policy D2 – Equestrian Development**

**Extensions to existing equestrian operations or development of new equestrian facilities in open countryside locations will be granted, where it can be demonstrated that:**

- 1. The development will not have an adverse effect on the landscape or the character of the area;**
- 2. The development, or effects resulting from the development, will not have an unacceptable impact on residential amenity;**
- 3. The development is grouped where possible with new/existing structures;**
- 4. The development would not result in the loss of best quality agricultural land; and**
- 5. Size, scale, design and construction materials are appropriate to its setting and function.**
- 6. Where possible, it should link with the existent Bridleway network.**
- 7. The development will not have an overly adverse impact on the highway network.**

**In assessing the proposals, the Council will consider the justification given, the sustainability credentials of the development and the cumulative impact when formulating its decision.**

**Where possible, proposals should make use of existing buildings and/or where possible use sites within or adjoining settlements.**

## **9.5 Agricultural Workers' Dwellings**

9.5.1 The close relationship between the town and country means that in special circumstances, it will be necessary to provide new agricultural dwellings in the rural areas. This is especially true in a rural Borough such as Melton which has a large and diverse agricultural sector. In some instances, some agricultural, fishery or forestry operations require a worker to live on or close to the site, in locations where in normal circumstances a dwelling would be unacceptable.

9.5.2 Beyond the remit of the defined settlements in the spatial hierarchy, in open countryside locations, proposals for dwellings will be restricted. When a

proposal is in accordance with a predominant land use such as farming/ forestry/fishery and there is a provable demonstrable need, a dwelling for the specific use of agricultural or other rural workers may be permitted, subject to it meeting the criteria of Policy D3.

### Policy D3 – Agricultural Workers’ Dwellings

Proposals for the development/creation of agricultural/forestry and other rural workers dwellings will be granted so long as it is demonstrated that:

- A. The proposal can be proven to be economically viable.
- B. The need for the labour is essential, permanent and full time.
- C. The necessity for workers to live on or in close proximity to the premises can be adequately demonstrated.
- D. It can be shown that there are no existing dwellings that could meet the requirements of the enterprise near to the premises which would be available and suitable.
- E. That the proposal is close to the agricultural/forestry operation, and in circumstances where this cannot be achieved, the development must be in a logical location which will not have a detrimental impact on the landscape and amenity.
- F. That the development of a new dwelling would not provide an obvious opportunity for infill development.
- G. That the design of the dwelling, including scale, materials and curtilage would be in keeping with design Policy D1.
- H. That satisfactory access and services can be provided.
- I. That public sector expenditure on the provision of infrastructure will not be required.
- J. Applications for agricultural / rural workers’ dwellings should be of an appropriate size and scale. Applications for dwellings with extensive facilities which are deemed to be excessive and beyond the remit of the operation will be refused.

9.5.3 In situations where existing dwellings in the ownership of the applicant have been sold off within the previous 24 months, applications for agricultural/rural workers dwellings may be refused.

9.5.4 The Council may use its powers to remove permitted development rights when approving an agricultural/rural workers’ dwelling, to prevent future development having a detrimental effect on the local area. Furthermore, on farms which have recently been fragmented, or are soon to be fragmented, planning obligations may be used to tie the dwellings to the farm to prevent them being sold separately.

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KEY EVIDENCE:

Melton Borough Local Plan 1999

Melton Mowbray Town Centre Masterplan, AECOM, 2008

Leicestershire Local Transport Plan 3 (LTP3), Leicestershire County Council, 2011

Melton Borough Areas of Separation, Settlement Fringe Sensitivity and Local Green Space Study, Influence 2015; 2016

Melton Infrastructure Assessment: Infrastructure Delivery Plan; Infrastructure Delivery Schedule; and Regulation 123 List. Arup 2016

Building for Life 12 2016, Built for Life

Active Design 2015, Sport England