

Item: 6

DC/20/1831/OUT

Outline Application with Some Matters Reserved -
Residential development of up to 55 dwellings, with
access off St Andrews Place

Land off St. Andrews Place and Waterhouse Lane,
Melton



Reason for Committee

The application was previously considered by Planning Committee South on 30th March 2021. Members resolved to approve the application in line with the Officer recommendation.

On 5 May 2021, the Council received a letter from Birketts LLP indicating that they considered the decision, when issued, would be amenable to a successful Judicial Review Challenge. The letter stated "In particular it appears that the Committee was misled in a material way regarding the detail and status of the statutory highway consultation." It also included that they considered the Committee was advised incorrectly regarding potential costs that could be sought against the Council in the event of an appeal.

While the Council disputes this claim, it was decided to remit the matter to the Planning Committee South for re-consideration.

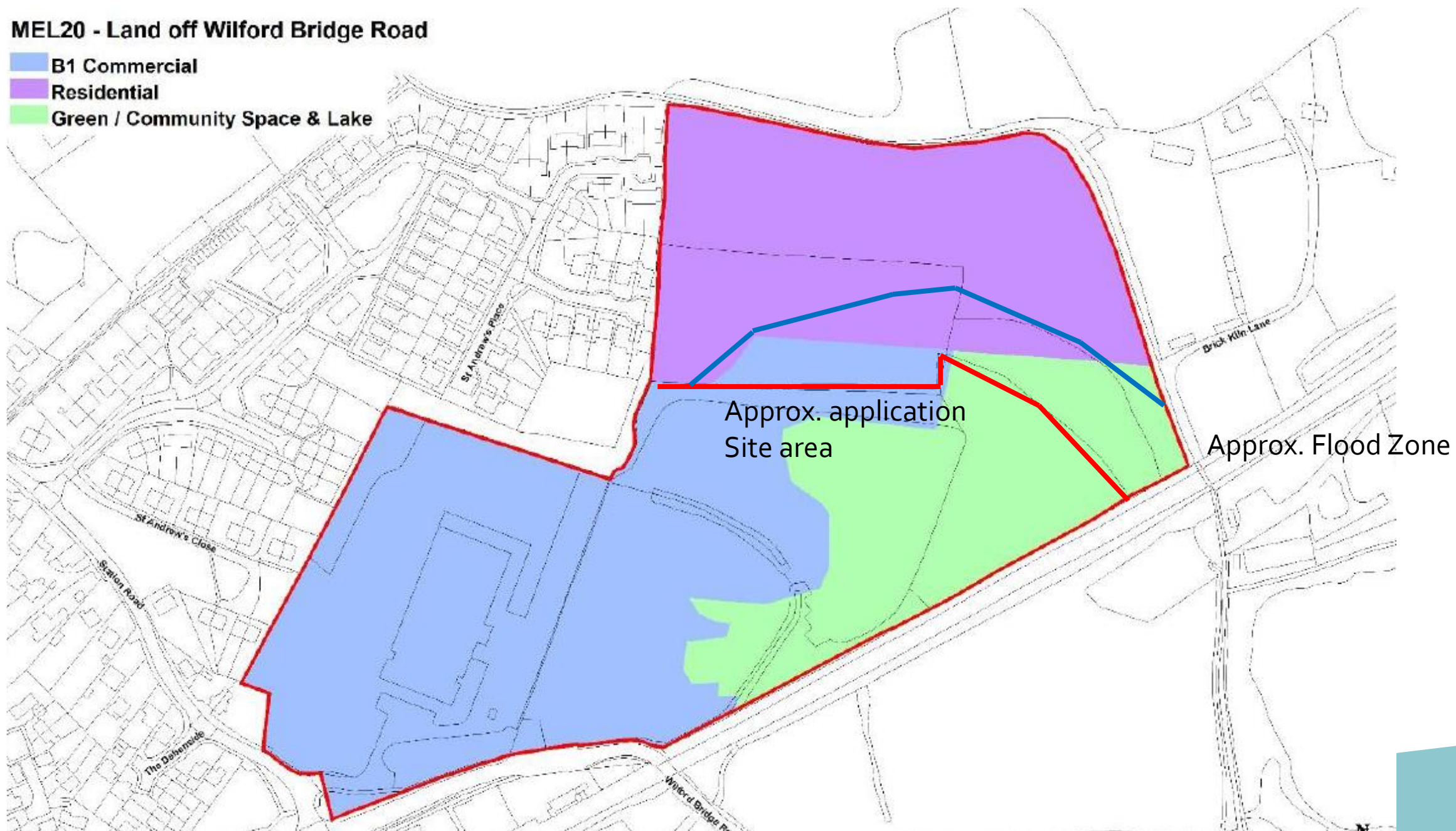


Site Location Plan



MEL20 - Land off Wilford Bridge Road

- B1 Commercial
- Residential
- Green / Community Space & Lake



section

Footpath and cyclepath link to Brick
Kiln Lane brideway to SCC Rights
of Way requirements

Tree restocking to Forestry Commission re
Existing stump regeneration and new plant

| | | |
|-------|--------------|-----|
| A | B | O |
| Alder | Silver birch | Oak |



site
section

Proposed off-site highways improvements

Extend footway
and road through

10.1 metre ridged
vehicle swept path

Additional parking spaces

New crossing points

Footpath/
Cycleway link

New crossing points

Widen footway

New lengths of footway and crossing

Main considerations following previous Planning Committee South meeting

Position of the Highways Authority

Recommend that permission be refused in relation to three concerns:

- Construction access - St Andrew's Place is not considered suitable for construction vehicle access route and although a temporary situation, would be detrimental to the safety of users of the highway for a significant period of time.
- Traffic impact - The site is located very close to the Melton signalised crossroads which is over-capacity. This proposal will impact upon the junction, and increase delay, particularly on The Street. The scheme should provide measures to improve sustainable travel opportunities and reduce the need for motor vehicle use.
- Sustainable access - The site is located very close to Melton Railway Station and should maximise the opportunity for occupiers to use it as an alternative to motor vehicle travel but no direct link is provided.

They accept that the scope of improvements to St Andrew's Place has progressed as far as is feasible and the improvements would provide a noted benefit to the flow of traffic and improve pedestrian facilities.

Proposed claim ground 2 in relation to the reference to another appeal decision is detailed in paras. 7.28 – 7.31 of the report. There is nothing further to add to this.

Additional consultee comments are detailed in the report but raise no objections

Conclusion

The Highways Authority maintain their objection on three specific matters however this is not in relation to the principle of access to the residential development site being through St. Andrews place. Some additional minor improvements to the proposals following the previous Committee meeting have been proposed.

The local planning authority's reasons for recommendation contrary to the Highway Authority's comments are detailed in the report.

The site is allocated for development in the Neighbourhood Plan (MEL20) and while a different access arrangement may have been envisaged, the proposal is in accordance with this policy.

Recommendation

AUTHORITY to APPROVE subject to amendment to the S106 Agreement (detailing Highways Improvement works, affordable housing provision and a contribution to the Suffolk Coast RAMS) in relation to First Homes in lieu of Discount Market Sales being agreed and controlling conditions as detailed below.

- Standard Outline time limit
- Submission of reserved matters
- Details of accesses
- Estate roads and footpaths to be provided
- Carriageway and footways to be laid
- Details of bin storage and presentation areas
- Residents Travel Pack
- Parking/turning areas to be indicated
- Off site highways works plan
- Photographic survey of condition of access
- Deliveries Management Plan
- Construction Management Plan
- Details of cycle storage at Station
- Ecological Impact Assessment
- No removal of hedgerow 1st March – 31st August
- Lighting design for biodiversity
- Construction Environmental Management Plan for Biodiversity
- Landscape and Ecological Management Plan
- Ecological Enhancement Strategy
- Programme of Archaeological works
- Maintenance of communal areas
- Air Quality Mitigation
- Electric vehicle charging points
- Noise survey
- Sustainability and Energy Statement and implementation
- Water efficiency measures
- Housing mix
- Surface Water drainage Scheme
- SUDS verification report

(As per Pages 65 - 72 of the report)

Material provided by Mr. Chalmers



St. Andrews Place - 1 June 2021





Extract from SCC Highways comments dated 13 September 2021

*Drawing 4465-0108-P06 illustrates the additional pedestrian and cycle link to St Andrew's Place. It should be noted that the footpath link to Brick Kiln Lane as requested by SCC Public Rights of Way team will also need to be a shared pedestrian and cycle link as Brick Kiln Lane is a Bridleway. However, the Highway Authority's concerns relating to construction access, traffic impact and sustainable access remain outstanding. **Subsequently, the objection from the Highway Authority remains.***

Whilst we welcome the addition of more off street parking in St Andrews Place, some spaces are now opposite pedestrian crossing points for example adjacent to 29 and 31. This does not afford a safe crossing point for pedestrians.

The addition of a tracked plan 4465-0104 P07 showing a 10.1m rigid vehicle passing partially though St Andrews Place, does not demonstrate that construction vehicles can safely navigate the residential area even without parked cars in the vicinity. Construction HGV's are usually considerably longer and articulated. **Subsequently, the objection from the Highway Authority remains.**



Photograph

