



## Appeal Decision

Hearing held on 18 October 2017

Site visit made on 18 October 2017

**by Jonathan Hockley BA(Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 17<sup>th</sup> November 2017.**

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**Appeal Ref: APP/Y2430/W/16/3150720**

**Spinney Campus - Brooksby Melton College, Melton Road, Brooksby, Leicestershire LE14 2LW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
  - The appeal is made by Brooksby Melton College against Melton Borough Council.
  - The application Ref 15/00246/OUT, is dated 2 March 2015.
  - The development proposed is mixed use redevelopment of the disused education/agricultural complex at the Spinney, Brooksby for residential development (up to 70 dwellings), B1 development (up to 850 sq.m) and village shop 100 sq.m(A1) with means of access.
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### Decision

1. The appeal is allowed and planning permission is granted for mixed use redevelopment of the disused education/agricultural complex at the Spinney, Brooksby for residential development (up to 70 dwellings), B1 development (up to 850 sq.m) and village shop 100 sq.m(A1) with means of access at Spinney Campus - Brooksby Melton College, Melton Road, Brooksby, Leicestershire LE14 2LW in accordance with the terms of the application, Ref 15/00246/OUT, dated 2 March 2015, subject to the conditions set out at the end of my decision.

### Procedural Matters and Main Issue

2. The application was submitted in outline, with all matters reserved aside from access. I have dealt with the appeal in the same manner.
3. At the Hearing a draft Section 106 Agreement was discussed. Given the discussions and the relatively modest alterations that were required to be carried out to ensure that all parties signed up to the Agreement, I agreed for an extension of time for the final Agreement to be completed. This was duly done.
4. The planning application that this appeal relates to has a lengthy history, and was submitted in March 2015. At a committee meeting in December 2015 the Council voted to defer the consideration of the proposal due to their refusal of a linked scheme for a site at King Street in Melton Mowbray. An appeal against the non-determination of this proposal was submitted in May 2016 but was then held in abeyance while a duplicate application and revised proposal for the King Street site was considered.

5. The Planning Officer's report in December 2015 recommended the refusal of this application, due to their view that the proposal would involve the erection of dwellings in an unsustainable location where there are limited local amenities and facilities, and that there would be insufficient benefit arising from the proposal to outweigh the harm arising. The duplicate application was refused for the same reason.
6. The main issue in this case therefore is whether the proposed development would provide a suitable site for housing, having regard to the proximity of services and the benefits of the proposal.

### **Reasons**

7. The appeal site, referred to as the Spinney Campus, lies some 7 miles to the south west of Melton Mowbray on the south side of the A607 road. The site comprises varying buildings of differing sizes and heights, all of which are effectively derelict, but were previously used for activities for students of the Brooksby Melton College, including for agricultural, horticultural and floristry courses. A range of derelict glass houses and polytunnels occupies the southern part of the site, and there is a large expanse of hardstanding surrounding the buildings. There is no dispute between the parties that the site constitutes previously developed land, and based on all that I have read, heard, and seen, I have no reason to disagree with this view.
8. In recent years the College has reorganised its sites and land, moving the activities previously on the Spinney Campus to the other side of the A607, where as well as the Grade II\* listed buildings of Brooksby Hall and Church of St Michael, older college buildings and more modern facilities, including a well-equipped sporting facility are sited. Similar reorganisations have been undertaken in sites within Melton Mowbray itself, where former activities on the site in King Street have been moved to a larger site by the Asfordby Road, which includes a theatre.
9. The proposal seeks outline consent for a large scale development consisting of up to 70 dwellings, along with some B1 light industrial units and a small shop. Access to the site would be made from the A607, but the existing access would be moved to the south slightly to allow more of a staggered T-junction with the access opposite to Brooksby Hall and the villages of Hoby and Rotherby. As part of this scheme, an existing bus stop would be moved and a pelican crossing installed across the road.
10. Visibility at both the existing and the proposed junctions is good, and although the A607 is a fairly busy road, based on the plans provided and conditions to ensure details, the splays that the scheme would have would be sufficient, along with the increased stagger between the site entrance and the Hall/village access, which would ensure that highway safety in terms of access to the site would not be compromised. I note in reaching this view that the County Highways Officer also has no objections to the proposed access to the site.
11. The proposal would create up to 70 homes in what is, despite the condition of the site, a location in the countryside. A reasonably regular bus route is enabled by the proximity of the A607 which provides services to Melton Mowbray from around 06.30 roughly every 20 minutes until around 18:30, with two later services. In the opposite direction to Leicester services are available from around 07:00 at a similar frequency. Fairly frequent services also run on

- a Saturday, with just 2 services each way on a Sunday. The bus service is therefore reasonably good, and more generous than that which serves many villages.
12. There are no schools close to the site; the nearest primary school is some 4 miles away, with secondary schools located within Melton Mowbray. A small shop is proposed to be included within the site, and the submitted Section 106 Agreement indicates that this would be run for 2 years by the College. 70 houses is not particularly many to sustain the use of such a shop, although its business could be swelled via employees from the on-site units, students from the college campus across the road (accessing via the pelican crossing) and a suggestion at the Hearing that the shop could sell produce as a farm shop from the College glasshouses could increase numbers of passing trade. Nevertheless, I share some of the views of the Parish Council who consider that the shop would not be sustainable, noting that the Appellants accepted at the Hearing that they did have doubts over its long term usage.
  13. Despite the bus service and the proposed on site shop, I consider therefore that it would be highly likely that most of the future residents of the proposal would use private transport to access most of their day to day needs, and the appeal site is not therefore located sustainably. A scheme of up to 70 houses would have the potential to generate fairly significant levels of road traffic, and would I consider, fall within the auspices of paragraph 34 of the National Planning Policy Framework (the Framework), which states that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
  14. The College has obtained planning permission to redevelop their King Street site to provide 21 affordable housing units. This site lies in the centre of Melton Mowbray close to all the services and facilities that that entails, and hence lies in a very sustainable location. The King Street scheme in its current guise could only go ahead in tandem with the appeal site scheme due to the funding that the proposed scheme would provide.
  15. Concerns are raised over whether the proposal would provide a mixed use development. Originally it was considered that the proposal would contain purely market housing. However, as part of alterations to the scheme 6 affordable units are proposed. While this would equate to less than 10% of the proposed houses, in combination with the King Street site this would provide 27 affordable units, around 30% of the total number of houses. Across the 2 sites I consider this to be reasonable, and would provide much needed affordable housing for the Borough. Such a percentage would also meet the required figures contained in the Council's cited Housing and Economic Development Needs Assessment (2017). Furthermore, the provision of 6 units on the appeal site, together with the proposed employment units and small shop would help provide a mixed use development, which the Framework states should be promoted.
  16. The Council have no objection to the provision of the employment units and consider that they would meet a need for small incubator style rural units. Such an aspect of the proposal would help to support the sustainable growth of business and enterprise in the rural area, supporting economic growth and helping to building a strong rural economy.

17. The appellant is the College themselves, which puts them in a situation different to many other potential developers. At the Hearing it was explained how generally speaking funding is only available to the college for educational services. The Melton Theatre lies in the heart of Melton Mowbray and puts on various public shows. The Council themselves indicate the cultural benefits that the theatre, the only one in the town, brings to the area and the residents of the Borough. However, evidence shows that the theatre in effect only breaks even in a good year, and is kept going through subsidies from the College. Such a system of financing allows little excess for maintenance and improvement; at my site visit I was shown various parts of the theatre, in particular backstage areas where it is clear that substantial investment is required to bring the building up to modern day standards.
18. Evidence submitted from the Principal of the College states that at some point in the near future consideration would have to be given to the financial viability of the theatre. The appellant's statement confirms that this would probably lead to the closure of the community facility. As part of the scheme before me, up to £2.1 million would be invested into the theatre to bring it up to modern day standards. It was confirmed at the Hearing that this would enable the Theatre to be put onto a sound financial footing and should not merely be a 'sticking plaster' to put off the problems to another day.
19. I have no reason to doubt the evidence of the College in this case, and note that the Council also do not dispute the figures involved, or the benefit of the theatre to the Borough. Without the money that the appeal site could provide the theatre would likely close, to be replaced with a far smaller facility solely for the use of the college students in the reasonably close future. The Framework states that planning decisions should plan positively for the provision and use of cultural buildings to enhance the sustainability of communities, and guard against the unnecessary loss of valued facilities and services.
20. The scheme would also provide a fairly large sum of money to allow repair works to be carried out to Brooksby Hall. This Grade II\* listed building dates from the late 16<sup>th</sup> century and includes alterations stated in the listing as carried out by Sir Edwin Lutyens. The Hall is constructed of coursed squared limestone with Swithland slate roofs. The east facing façade has a noticeable castellated parapet to the southern wing, with a wide range of sash windows, some of which have stone mullions. Evidence details a range of maintenance works which are required to be carried out to the structure; during my site visit some of these works, such as repairs to windows were plain to see. The proposal would enable such works to be carried out to the structure, which as a Grade II\* listed building is a particularly important building of more than special interest.
21. The Melton Local Plan dates from June 1999. A revised local plan has yet to undergo examination and I heard that a Neighbourhood Plan for the parish has collated evidence and consulted parishioners but has not yet got to the stage of producing a document. Given this background, both parties considered that the approach to the determination of the proposal is that set out in paragraph 14 of the Framework, which states that where the development plan is out of date, permission should be granted for development proposals unless any adverse impacts of doing so would significantly and demonstrably outweigh the

- benefits, when assessed against the policies in the Framework taken as a whole.
22. It is not in doubt to my mind that the proposal would lead to up to 70 dwellings in an unsustainable location. However, the brownfield nature of the site and the regular bus service from Mondays to Saturdays, as well as the range of uses proposed on the site slightly reduces the adverse impact of the site's countryside location. Set against this are a wide range of benefits, including the affordable housing both on King Street and as suggested on the site itself, the substantial contributions to the town's theatre, helping to ensure that the community facility remains, the provision of monies to help maintain and repair Brooksby Hall and the proposed employment units on site.
23. I have considered this matter carefully. When considering all these matters in the round, I am of the view that the adverse impacts of the proposal would not *significantly and demonstrably* outweigh the wide range of benefits of the proposal when assessed against the policies in the Framework as a whole. Whilst the scheme would be contrary to paragraph 34 of the Framework, it would involve the effective reuse of previously developed land, delivering a wide choice of homes, including affordable houses on the two sites combined, support economic growth in a rural area and would provide benefits in terms of valued community facilities and the conservation of a heritage asset in a manner appropriate to its significance.
24. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Policy OS2 of the Local Plan states that planning permission will not be granted for development outside of town and village envelopes, aside from a range of exceptions, none of which the proposal would meet, and thus the scheme would be contrary to this policy. I agree with an Inspector cited in the Council's statement of case that this policy has broad accord with the Framework and therefore attracts weight. Due to the age of the policy I prescribe limited weight to this policy, but I consider that the scheme's compliance with the Framework outweighs this non-compliance with the development plan. When taken as a whole, with the range of benefits identified and with reference to paragraph 7 of the Framework, the scheme's compliance with paragraph 14 of the Framework means that the proposal as a whole constitutes sustainable development. I therefore conclude that the proposed development would provide a suitable site for housing, when having regard to the proximity of services and the benefits of the proposal.

#### *Other matters*

25. Concern is raised over the effects of the scheme upon highway safety in the area surrounding the site. At the Hearing I heard evidence relating to rat runs in the area by traffic seeking short cuts between main roads. The proposal would, in addition to local levels of traffic, likely add to the level of traffic on such roads. However, most traffic generated by the scheme would be likely to be heading to Melton Mowbray or Leicester. An objection on such grounds is not raised by the County Highways Officer or the Borough Council, and I do not consider that the scheme would create a significant issue in this regard.
26. I heard issues relating to the effect of the scheme upon the character and appearance of the area. However, the site is a previously developed one with a wide range of existing buildings, and is reasonably well screened from most

- views. I do not consider that the provision of a well-designed scheme with landscaping, details of which would be agreed at reserved matters stage, would detract from the character and appearance of the area.
27. There is disagreement between the parties over whether the Council have an objectively assessed figure for housing need (OAN), with consequent implications for the five year supply of deliverable housing. However, in this context I note the evidence relating to the OAN figures deriving from the same document as was accepted within the North West Leicestershire Local Plan. Furthermore, I note the appellant's admission that this issue was a tangential point in the appeal. Given my conclusions above concerning the appeal I have not considered this matter further.
28. My attention is drawn to other appeal decisions within the Council area. However, such decisions do not include the same or similar matters to the unique range of benefits that the scheme would generate in this instance.
29. I note comments stating that the scheme should be deferred until the Neighbourhood Plan is complete. Planning Practice Guidance states that arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. The guidance goes on to state that such circumstances are likely to be limited to situations where both the development is so substantial that to grant permission would undermine the plan making process, and the emerging plan is at an advanced stage. However, as noted above the Neighbourhood Plan is at a relatively early stage. The guidance also notes that refusal of planning permission on grounds of prematurity will seldom be justified before the end of the local planning authority publicity period for a Neighbourhood Plan.
30. My attention is drawn to private rights of access on or adjacent to the site, and restrictive covenants concerning the permitted use of the site. Such issues are private matters which would need to be considered by the appellant outside of the planning process.
31. The appellant raises strong concerns over the conduct of the Council during the application process, considered that the Council had backtracked over a previous resolution not to defend the subject application at appeal should an agreed scheme for the King Street site be resolved. Complaints concerning the Council's conduct should be submitted through the Council's own complaints service initially. I have considered the appeal on its own merits.

### **Conditions and Obligation**

32. Many of the provisions of the Section 106 Agreement concern matters relating to the provision of affordable housing on and off the site, works to the theatre, and Brooksby Hall. As considered in my decision above, all such matters are necessary to make the development acceptable in planning terms, are directly related to the development and are justified and fairly and reasonably related in scale and kind. The Agreement also covers provisions relating to the open space on the site and its future maintenance, substantial education contributions for primary and secondary schools, monies for civic amenity, library services and public transport details such as bus passes, bus stop information systems, as well as drainage matters, a management plan for the

operation of the shop and a contribution to the police. Based on the evidence provided and discussed I consider that all such matters are necessary, directly related to the scheme and are fairly and reasonably related in scale and kind to the development.

33. The Parish Council are of the view that the Section 106 Agreement does not provide contributions to the parish, despite the development being within their boundaries. Concern is particularly raised over the possible effect of the scheme on local roads, and a request is made for contributions to traffic calming measures. Above I have considered the effect of the scheme on such matters, and I do not consider that such a contribution would be necessary to make the development acceptable in planning terms. Furthermore, the provision of housing and employment units, as well as the small number of affordable houses on the site will generate local economic and social benefits. The theatre also provides benefits for the wider area than just the town itself and the Hall is of national importance.
34. I have imposed conditions relating to the timing and implementation of reserved matters, as well as to agreed plans, in the interests of certainty. I have also imposed a condition relating to the housing mix of the site, in order to provide for a mixed use scheme which would relate to the area's housing need. The Council have recommended conditions relating to samples of materials and landscaping, as well as parking standards and internal layout details. Such conditions would be more applicable to reserved matters and so have not been imposed, as would issues concerning lighting of the site.
35. I have also imposed a condition relating to surface water drainage matters, although I have amalgamated the suggested conditions in the interests of precision. Conditions are also imposed relating to construction traffic for the site and the provision of the access, in the interests of highway safety and the living conditions of local residents, as well as conditions relating to contamination, remediation and the importation of any soil, in the interests of the water environment.
36. A condition is also imposed relating to archaeological investigations of the site, although I have combined the various conditions suggested by the Council. Such a condition is required in the interests of the historic environment.
37. A condition is imposed concerning an acoustic mitigation scheme for those houses that would be located closest to the A607. Such a condition is required in the interests of the living conditions of the future residents of the site. Conditions are also imposed concerning details of the specification of an existing bridleway through the site, which would be maintained by the proposal, and details of the use of the pelican crossing by horse riders, in the interests of the amenities of the users of the bridleway. Finally I have imposed a condition as recommended by the Council regarding the phasing of the scheme. Such a condition is required to ensure that the industrial units and shop are provided before the occupation of 75% of the houses on site.

## **Conclusion**

38. I have considered this decision carefully. The case presents an unparalleled set of circumstances, which although resulting in a development in a location which would not normally be ideal, presents a unique range of benefits which would benefit the Borough as a whole. I do not consider that the harm arising would

significantly and demonstrably outweigh these wide range of benefits, and therefore, for the reasons given above, I consider that the site would provide a suitable site for housing. Having regard to all other matters raised, I therefore conclude that the appeal should be allowed and planning permission be granted.

*Jon Hockley*

INSPECTOR

#### SCHEDULE OF 20 CONDITIONS

- 1) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 2) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 3) 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 takes place and the development shall be carried out as approved.
- 4) The reserved matters shall provide for a mix of types and sizes of dwellings that will meet the area's local market housing need.
- 5) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan HG0358/001, Site Access Improvement NTP-14053-05 Rev 0, Proposed Site Access 15387-001 Rev B.
- 6) 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. The scheme shall include details of the management of surface water on site during construction of the development, the long term maintenance of the sustainable surface water drainage system within the development, and shall include details of infiltration testing to confirm or discount 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. The scheme shall also ensure that surface water does not drain into the Public Highway including private access drives. The scheme shall be implemented as agreed and thereafter maintained as such.
- 7) Prior to first occupation of the development hereby permitted the vehicular access to the site shall be provided with 6m wide carriageway with 2m footpath, 3m bridleway and 10m kerbed radii. The site access shall be resurfaced with tarmacadam, concrete or similar hard bound

material (not loose aggregate) for a distance of at least 10 metres behind the highway boundary and shall be so maintained at all times.

- 8) No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.
- 9) Before the development hereby permitted commences, details of the routing of construction traffic shall be approved by the Local Planning Authority (LPA). During the period of construction, all traffic to and from the site shall use the agreed route at all times.
- 10) No development shall take place until a further phase two site investigation has been undertaken in accordance with details approved by the LPA. The intrusive works shall focus upon the following oil/fuel tanks as identified in the initial BSP Consulting Combined Phase I Desk Study & Phase II Exploratory Investigation dated 26 January 2015:
  - a. The active diesel tank
  - b. The disused diesel tank
  - c. Oil storage tank adjacent to borehole SW16 and
  - d. Oil storage tank adjacent to borehole SW17.

The results of the investigation shall be provided to the LPA and shall include a revised conceptual model and method remediation statement. The method statement should also include details of all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme once approved by the Local Planning Authority shall be implemented in full and written evidence to confirm completion of the work provided and approved by the Local Planning Authority.

- 11) If, during the development, any contamination is identified that has not been considered previously, then, other than to make the area safe or prevent environmental harm, no further work shall be carried out in the contaminated area until additional remediation proposals for this material have been submitted to the Planning Authority for written approval (this would normally involve an investigation and an appropriate level of risk assessment). Any approved proposals shall thereafter form part of the Remediation Method Statement.
- 12) In the event that it is proposed to import soil onto site in connection with the development the proposed soil shall be sampled at source such that a representative sample is obtained and analysed in a laboratory that is accredited under the MCERTS Chemical testing of Soil Scheme or another approved scheme the results of which shall be submitted to the Planning Authority for consideration. Only the soil approved in writing by the Planning Authority shall be used on site.
- 13) No topsoil from the existing site shall be used in connection with the development unless sampled at source such that a representative sample is obtained and analysed in a laboratory that is accredited under the MCERTS Chemical testing of Soil Scheme or another approved scheme the results of which shall be submitted to the Planning Authority for

consideration. Only the soil approved in writing by the Planning Authority shall be used on site.

- 14) No development shall take place until an acoustic mitigation scheme has been submitted to and approved by the Local Planning Authority. As a minimum the scheme must achieve the façade acoustic specifications outlined in noise impact assessment DC1677-R2 by Dragonfly Consulting. The acoustic mitigation scheme shall include a copy of the approved ventilation scheme wherein 'whole dwelling ventilation' must be achieved on the presumption of windows being closed. The acoustic mitigation scheme shall demonstrate that the proposed habitable rooms are so not different in specification to those assumed in the noise assessment as to materially affect the suitability of the proposed façade acoustic specification. The approved scheme shall be completed prior to the first occupation of the development and shall be retained thereafter.
- 15) No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
1. A preliminary risk assessment which has identified: - all previous uses - potential contaminants associated with those uses - a conceptual model of the site indicating sources, pathways and receptors - potentially unacceptable risks arising from contamination at the site.
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
- 16) No demolition/development shall take place/commence until a programme of archaeological work, commencing with an initial phase of trial trenching, 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 (including the initial trial trenching, assessment of results and preparation of an appropriate mitigation scheme)
  - 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.

No demolition/development shall take place other than in accordance with the Written Scheme of Investigation.

- 17) 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 16 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- 18) No development shall start on site until specification details of pelican crossing facilities for use by horse riders have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 19) No development shall start on site until specification details of the bridleway through the site have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 20) No development shall take place until a programme of phasing for implementation of the whole development has been agreed in writing by the Local Planning Authority. Any amendment to the approved phasing programme must be first agreed in writing by the Local Planning Authority. The Local Planning Authority will require the completion of the shop and industrial units prior to occupation of 75% of the proposed residential dwellings.

## **APPEARANCES**

### **FOR THE APPELLANT:**

C Ball	Brooksby Melton College
S Chadwick	WYG Planning Limited
Michael Harris-Wakelam	Melton Theatre
Steve Fernie	Armsons

### **FOR THE LOCAL PLANNING AUTHORITY**

Jim Worley	Melton Borough Council
Louise Parker	Melton Borough Council

### **INTERESTED PARTIES**

Andrew Tyrer	Leicestershire County Council
Angus Walker	Hoby with Rotherby Parish Council

### **DOCUMENTS SUBMITTED AT THE HEARING**

1. Final draft of Section 106 Agreement.
2. Library Contributions Justification, Leicestershire County Council.
3. Council's Notifications of the Hearing

### **DOCUMENTS SUBMITTED AFTER THE HEARING**

1. Letter from Hoby with Rotherby Parish Council, dated 25/10/17.
2. Emailed responses from the Appellant and the Borough Council to the above letter, dated 31/10/17 and 01/11/17 respectively.
3. Section 106 Agreement, signed by Appellants, Borough Council and County Council. Dated 08/11/2017.