

Planning Statement

Change of use of building from
cattle market use (*sui generis*) to

Class E: Business

Cattle Market

Scaford Road

Melton Mowbray



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1.Introduction

Change of use and alterations of building from cattle market related use (sui generis) to Class E: Business, Cattle Market site, Scalford Road, Melton Mowbray

1. The statement relates to a full planning application for the change of use of an existing building located within Melton Mowbray Cattle Market site, to use for Class E Business purposes: The expectation is that the first uses of the building will be as a distillery and a smokehouse. These will comprise two separate activities and each use will include an element of sales and provision for consumption of products on the premises. The change of use relates to the former Fur and Feather building, which is located on the western side of the overall grouping of buildings. To the south of the building is the Round Corner brewery and bar, and the proposed uses will suitably complement this existing food-based activity. The building is no longer used for fur and feather sales on market days; these activities being accommodated elsewhere within the market site.
2. The building comprises part of the wider cattle market complex, and is one of the older buildings located towards the western end of the overall complex – between the Gate 2 and Gate 3 access roads. Main Livestock sales are now generally concentrated towards the northern end of the site, and the smaller buildings have more recently been used for non-livestock markets. A number of the former livestock buildings on the western part of the overall site have been demolished and the land to the west of the present application building is now in use, on a temporary basis, for car parking.
3. The application proposals seek to change the use of the building from its existing *sui generis* livestock market related usage to a Class E : Business use. The initial occupants are expected to be a distillery (in the western half of the building) and a smokehouse (on the eastern side). Distilleries are generally identified as comprising a B1 use. The smokehouse use (the smoking of food products – meats and cheeses) similarly represents a B1 use. In each instance the uses will incorporate retail sales and provision for consumption of the products on the premises. The proposed use in this case can be accommodated within the existing building, without the need for external alterations. Car parking needs can be accommodated within existing cattle market parking areas. Although the anticipated first occupants are as described above, a general Class E consent is sought in this case.
4. The use is considered to represent an appropriate use of the building. The proposed uses will complement the recently opened Round Corner Brewery located in the building to the south (across the central access road). The existing building is no longer used in connection with the Cattle Market and is in need of refurbishment. Re-use of the building will enable that refurbishment to take place, and will introduce a new employment generating use into the building. The uses are considered to represent a complementary use to the overall cattle market activities, complementing the food-focussed market activity and adding a positive, tourist related dimension to the town-centre. The use is considered to represent an appropriate use within the locality, and one that will give rise to no adverse amenity or highways impacts. The anticipated distillery use will not give rise to any significant levels of noise, and odour associated with the distilling activity is modest. (The brewery use to the south comprises a similar activity and this was deemed acceptable in this location (planning permission ref: 18/00324/COU)). The proposed development is considered to accord with the provisions of the development plan and national planning policy guidance
5. There are considered to be no grounds in this instance to justify the withholding of planning consent.

2.The application site

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6. The application site is located within the Melton Mowbray Cattle Market, which is situated in the western side of Scaford Road; extending westwards as far as the A606 Nottingham Road.



OS plan (not to scale) identify the centre of Melton Mowbray and the location of the application site within the wider Cattle Market complex.

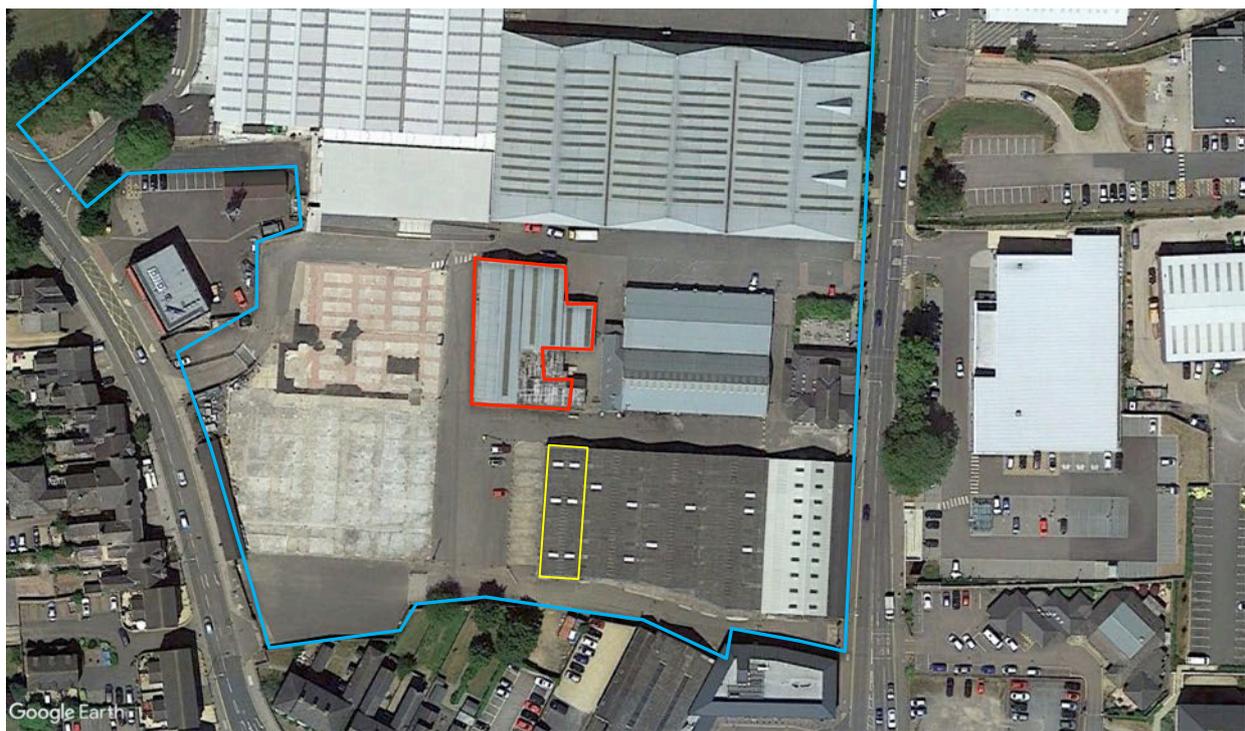
7. The overall cattle market site, which has been located here since the nineteenth century, extends to approximately 5.5ha. The overall complex includes a wide range of buildings, open pen areas, market halls and a public house. As the number of cattle markets decreases nationwide, so the activities of the site have become more complex and demanding. The scale and importance of the market are now such that large, bespoke, sheep and cattle sales buildings have been erected towards the northern end of the site, with good quality HGV access from the northern end of the overall site, and extensive car parking. The smaller, former livestock buildings situated at the southern end of the complex are now no longer fit for use for livestock purposes. Some of the buildings have been removed and replaced, whilst others have now reverted to non-livestock market uses, including general market use, car boot sales etc. Other buildings, such as the present building, have become largely disused.

8. The cattle market site has a long frontage onto the western side of Scalford Road, and is generally contained by a high brick wall. Beyond the northern Gate 4 access point an extensive car parking area extends northwards to the rear of a number of frontage properties, and to the west of the PERA complex, accessed from the A606 Nottingham Road. The main body of the market site extends up to Nottingham Road, where it is generally contained by a high brick wall. To the south, are two and three storey properties that front onto the northern side of Park Road. These properties are now in commercial use, mainly for offices. To the east of these buildings, and also extending up to the cattle market boundary is a tyre and exhaust centre (KwikFit). Also to the south, and accessed from Scalford Road, just north of its junction with Park Road, is a small retail park. East of Scalford Road, opposite the cattle market, is a Lidl foodstore.



General overview of the Cattle Market complex. The overall cattle market site is identified in blue. The location of the present application building is circled in red.

9. The general vicinity of the cattle market site is non-residential in character. The nearest residential properties are situated on Scalford Road, some distance to the north of the sheep sales building, and on the western side of Nottingham Road. These latter properties are separated from the site not only by Nottingham Road itself, but also by a substantial boundary wall to the site.
10. The application building in this case comprises part of the overall cattle market complex, and is identified on the drawing above, and on the larger scale aerial photograph below.



Aerial photograph showing the southern end of the cattle market site, and the application building. The red line identifies the application site (which excludes the existing externally accessed public conveniences on the western side of the building, which are to be retained). The Round Corner Brewery building, consented under application ref: 18/0324/COU is highlighted in yellow.

11. The building comprises the former Fur and Feather building, historically used for the sale of poultry, game birds and rabbits etc. As illustrated below the building comprises several linked elements. There are essentially three north-south aligned brick clad sections, with three parallel north-south running ridges. The western of the three elements is the longest. The central element has similar proportions and ridge height to the western element, but is shorter in length. To the south of this element is a single storey flat roofed render building section. The third, eastern gabled element is much shorter in length, and lower in height than the other two elements and inset from the northern gable ends of the two larger elements. The three buildings are linked internally and there is roller shutter or sliding type doors on the southern and western elevations and at the north eastern corner there are two further openings in the northern and east facing elevations.

12. As well as containing offices (now relocated to the larger sheep and cattle building to the north), and the former fur and feather sales area the building also contains, on its eastern side – and accessed via a pathway leading between the central and northern access roads – are the main public conveniences for the cattle market site. This element of the building is not included within the application site, and the existing use will remain.



The western gabled section of the fur and feather building. This element of the building is proposed to be utilised for the gin distillery



The south eastern section of the building, which was previously utilised as offices. This element of the building, part of the central building span and the eastern span, are to be utilised as a smokehouse.



The northern end of the building. This section of the building will form part of the distillery



The northern end of the building. The eastern building space and the adjoining section of the central span, will form part of the smokehouse use.



The western side of the building. In the background is the main market hall buildings.

14. To the west of the application building, is the site of the former cattle sales building. This building had extended almost up to the Nottingham Road boundary. This building has now been replaced by a larger building (15/00576/FUL) a short distance to the north and as a result the original building has been demolished. The vacated space has been granted a temporary planning permission for use as car parking (17/01044/FUL).
15. To the east of the site, is a further market hall, set between the Gate 2 and Gate 3 access roads, which extends eastwards towards the public house building alongside Scalford Road.
16. To the north, across the Gate 3 access road, are the main market halls for cattle and sheep sales.
17. To the south, across the Gate 2 access road, is a range of market hall buildings that extend eastwards up to Scalford Road. This building comprises a number of connected pitched roof elements of varying lengths, whose ridges run north-south. Most of these elements are open on their northern side and open or partly open on the southern side. The westernmost section of the building is fully enclosed and this now comprises the Round Corner Brewery. This was granted planning permission in 2018 (LPA ref: 18/0234/COU), and comprises a brewery and associated taproom / bar. The bar / sales section of the building is located at its northern end, opposite the present application building.
18. The building itself has a very limited visibility from public vantage points. It is screened from view from Scalford Road by intervening buildings. Nottingham Road is located some 70m to the west and the site is mainly screened by the boundary wall. The only visibility of note is through the gates of entrance No.9 (see below). This visibility has only arisen as a consequence of the removal of the cattle sales building, and any future development of that land will serve to screen any further visibility of the application building from the west.



View through Gate.No.9 from Nottingham Road

20. Although located within the overall confines of the cattle market, the building clearly lends itself to alternative, complementary uses. The building is surplus to cattle market requirements and is vacant. It is not essential to the overall operation of the site as a cattle market, and it is reasonable to consider whether the building could be utilised for other complementary purposes. The site is located within the built up area, and comprises previously developed land. It is considered that the building lends itself to a variety of alternative commercial uses. The building is remote from residential properties, and as such there is some scope for a range of business uses, including B-type uses (the recent grant of planning permission for the Round Corner Brewery; 18/0234/COU, is indicative of the capacity of the locale to accommodate B-type uses. Although not entirely a planning issue, a use that complemented the existing food / produce related site uses would be desirable. The application proposals, which we describe more fully in the following section represent such a complementary use.

3.The proposed development

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21. The application in this case, which is a full planning application proposes the change of use of the application building, with the exception of the male and female toilets on the eastern side of the building, from its existing *sui generis* cattle market use to Class E: Business use. Initially the intended occupants are to comprise a distillery and associated bar and sales area, and a smokehouse preparing and selling smoked food items; meats, cheeses etc. These operations are both considered to fall within the new class E: Business use class. Whilst the distillery and smokehouse are the anticipated tenants in the first instance, the applicants are seeking a general Class E consent in this case to provide some ongoing flexibility in terms of the use of the building.
22. The distillery use will take place in the western half of the building. The operation in this case will include all the facilities for the production of gin, as well as bar facilities for tasting and purchase, including a bar and seating area. In these respects, the operation will be very similar in character to the adjoining brewery use. The sales and bar area is intended to be ancillary to the primary distillery use. The smokehouse use will take place within the eastern half of the building. Product will be smoked in purpose made smokers and sold on the premises (as well as distributed for sale elsewhere). Provision will also be made for purchase and consumption on the premises. These operations in our view would be characterised as a light industrial type use with elements of food and drink consumption on and off the premises. The overall use of the building would fall within the new Class E: Business Use Class.
23. Gin is manufactured by re-distilling clean alcohol and water, passing the vapour through a basket of botanicals, then condensing the vapour together with the essential oils from the botanicals in a vertical condenser. The pot containing the clean alcohol and water is generally heated by an immersion heater heating a water jacket. The alcohol and water must be clean without smell, so as to avoid interfering with the aroma of the botanicals. The process does not use noisy mechanical equipment.
24. As part of the overall distilling operation, it is intended to have a bar within the building, to serve product produced on the premises. It is also proposed to offer tours several times a week. It is anticipated that the bar operation represents an ancillary operation to the primary use of the building as a distillery. The bar would operate subject to appropriate licensing restrictions, and these are likely to extend beyond the operating hours of the brewing process. In these respects the operation will have some similarities to the brewery use opposite.
25. It is considered that the proposed uses serve as a positive addition to the cattle market use, and uses that complements the wider range of site uses. Given the strong town and borough -wide emphasis on high quality food produce, the activity represents a use that will add to the overall food and drink offer of the town and one that will serve as a positive visitor attraction in coming years; reflecting a growing popularity of locally produced, artisan products.
26. The anticipation is that the uses will include sales of goods, as well as consumption of food goods on the premises. Food / drink purchases for consumption off the premises will largely comprise prepared product that would fall within the retail (A1) category, and would not constitute a (A4) takeaway type use. The uses are intended to fall within the scope of Class E.

4.Planning considerations

Change of use and alterations of building from cattle market related use (sui generis) to distillery and smokehouse; Cattle Market site, Scaford Road, Melton Mowbray

National planning policy considerations

27. This section sets out the planning policy considerations relevant to the proposed development. Whilst not required as part of a Design and Access Statement, it is considered that a full understanding and appraisal of the relevant policy context will positively inform the design response and the determination of the application.
28. The National Planning Policy Framework sets the agenda for sustainable development. Fundamental to the guidance is a presumption in favour of sustainable development, and the promotion of the efficient and effective use of land, and the promotion, wherever practicable, of the development of previously developed land.
29. The development in this case will be consistent with the NPPF. The development comprises an appropriate, sustainable development in what is considered a sustainable location. The presumption in favour of sustainable development embodied in the NPPF should reasonably apply in this case.

NPPF : Core planning principles

30. Paragraph 17 of the NPPF sets out a number of core planning principles that permeate the guidance. Three of those principles are especially relevant in this case. Firstly, in relation to economic development, the NPPF states that planning should;

proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;

31. In relation to the use of previously developed land, the NPPF states that planning should;

encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;

32. In relation to accessibility and sustainable location of development, a core principle is that planning ;

actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;

33. In our judgement, the development would fully accord with these core principles.

NPPF : Economic development considerations

34. In relation to the need to build a strong and competitive economy, the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning, the guidance states should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system. Paragraph 21 of the NPPF states;

Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should:

- *set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;*
- *set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*
- *support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;*
- *plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries;*
- *identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and*
- *facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.*

35. This positive emphasis on facilitating economic growth is further re-inforced in relation to rural areas. Paragraph 28 of the NPPF states;

Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;*

NPPF : Design

36. The guidance also promotes the achievement of high quality design. ‘Good design’ the guidance states ‘is a key aspect of sustainable development’. Design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. The guidance states that high quality and inclusive design should be the aim of all of those involved in the development process. Developments should respond to their local context and create or re-inforce local distinctiveness.
37. The development in this case will, in our view, be consistent with the NPPF. The development comprises a sustainable development in a sustainable location. The presumption in favour of sustainable development embodied in the NPPF should reasonably apply in this case.

Melton Local Plan 2018

38. The Melton Local Plan was adopted in 2018. The document sets out the broad locational strategy for development in the Borough and includes a range of development management policies. It defines a broad settlement hierarchy for the Borough, and sets out policies for the distribution of housing and employment growth in line with that settlement hierarchy.
39. That settlement hierarchy (Policy SS2) is centred upon Melton Mowbray as the principal settlement within the Borough.
40. Policy EC1 of the Plan relates to employment development. This identifies several locations for employment allocations in the borough and indicates that employment development on non-allocated and windfall sites in Melton Mowbray will be supported where the site is located in an area with good public transport accessibility and good access by foot and cycle, and provides for a mix of B-Class employment uses that seek to meet local business and employment needs. Insofar as these proposals will meet the specific needs of local business, in a highly accessible location, these criteria are demonstrably satisfied.
41. Section 6.10 of the emerging Local Plan specifically considers the importance of food and drink uses to the local economy. Paragraph 6.10.1 identifies that Melton Mowbray is branded as England’s ‘Rural capital of food’ and identifies that this food and drink specialism provides ‘bespoke opportunities’ and ‘a degree of local resilience’. Paragraph 6.10.2 identifies the commitment to introduce a Food Enterprise Zone within the Borough, via a Local Development Order, that would fact-track specific food and drink related development proposals through the planning process. Whilst this finds no specific policy expression within the Local Plan, it is important to note that the Local Plan has as one of its strategic objectives;

“6.Promote the tourism potential of the Borough through its food, equestrianism and heritage assets creating a Melton Borough “brand”.

42. Moreover, paragraph 6.10.5 states;

6.10.5 The NPPF indicates in paragraph 28 that ‘planning policies should support sustainable growth in rural areas, in order to create jobs and prosperity by taking a positive approach to sustainable new development’. Economic diversity and agricultural diversification will therefore be encouraged specifically via the LDO, subject to it being demonstrated that the enterprise clearly enhances the food and farming

supply chain and proposals involve the re-use of existing redundant buildings, or are entirely contained within an existing enclosed area with no significant adverse impact on the locality.

The proposals in this case would clearly contribute positively to the food and drink sector locally. The use would make use of an existing building that has no economic use at the present time. It is located within the Cattle Market which already has a strong 'food and drink' focus. The area is essentially an enclosed one and the use would have no adverse effects upon the wider locale.

43. Policy D1 of the Local plan relates to raising the Standards of Design. The policy identifies a range of considerations against which development proposals will be assessed. It is considered that the proposed development satisfies the terms of the Policy in all relevant respects (noting that the scheme is for a change of use only).

POLICY D1: Raising the Standard of Design All new developments should be of a high quality design. All development proposals will be assessed against all the following criteria;		
No.	Criteria	Comment
a	Siting and layout must be sympathetic to the character of the area;	As a change of use only, issues of siting and layout do not arise.
b	New development should meet basic urban design principles outlined in this plan;	As a change of use only, the development has no design implications.
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;	As a change of use only, the development has no design implications.
d	Amenity of neighbours and neighbouring properties should not be compromised;	Give the separation from the nearest residential properties, no adverse amenity impacts will arise.
e	Appropriate provision should be made for the sustainable management of waste, including collection and storage facilities for recyclable and other waste;	Suitable arrangements will be made within the site for the storage and collection of waste, in line with commercial collection / recycling arrangements.
f	Sustainable means of communication and transportation should be used where appropriate;	The site is well related to existing movement networks. Public transport services are within walking distance of the site. Town centre facilities are similarly within easy walking distance.
g	Development should be designed to reduce crime and the perception of crime.	The development will be designed with crime and security considerations in mind. These give no impacts on overall building appearance
h	Existing trees and hedges should be utilised, together with new landscaping, to negate the effects of development;	There is no landscaping in the vicinity of the site. Landscaping is not considered necessary or appropriate in this case.
i	Proposals include appropriate, safe connection to the existing highway network;	The site can be satisfactorily accessed. There is adequate car parking provision within the cattle market site and in the immediate vicinity to meet the parking needs of the development.
j	Performs well against Building for Life 12 or any subsequent guidance and seeks to develop the principles of	The development is appropriately located and is compatible with adjoining uses.

	'Active Design' for housing developments;	
k	Makes adequate provision for car parking; and	Adequate provision is made for the parking and turning of vehicles within the wider cattle market site. There is adequate space for service deliveries.
l	Development should be managed so as to control disruption caused by construction for reasons of safeguarding and improving health well-being for all.	Appropriate safeguards can be imposed by condition (if necessary), to ensure the construction phase of the development does not result in harm to adjoining and nearby residential amenity.

44. There appears to be no Local Plan policy conflicts in this instance.
45. There are no specific policy provisions relating to the cattle market. The proposed use will not impact upon the overall cattle market operation. Indeed, the use represents a positive addition to the overall site activities and one that will complement the existing site uses, whilst contributing to local employment and enriching the local food and drink offer.
46. There are no amenity considerations associated with the proposed use. Hours of operation of the building will generally align with that of the nearby brewery and bar (there are no hours restrictions on that use). There are no residential properties in the immediate vicinity of the site that would be impacted by the proposed use.
47. Odours are not considered to be a significant issue in this case, nor a matter that would result in material harm to amenity. The distilling process does not typically generate an odour.
48. The tourism and leisure dimension to the proposed development represents a further material consideration in this case. The distillery in operation will incorporate a bar and tasting room facility and tours will be offered to visitors. These elements represent a positive wealth-generating element of the proposals that will contribute positively to the overall tourism offer of the town, and one that aligns with the 'rural capital of food' marketing strategy of the town.
49. No other planning issues are considered to arise in this case. The proposed works to the building generally represent enhancements to its overall appearance, and the use will not generate significant levels of traffic. It is moreover an accessible location, with proximate access to town centre facilities and public transport services.

5. Conclusions

Change of use and alterations of building from cattle market related use (sui generis) to Class E: Business, Cattle Market site, Scalford Road, Melton Mowbray

49. These submissions have demonstrated that the proposed development represents an appropriate re-use of an existing employment building. The proposed development represents an appropriate employment use, and will satisfy the terms of relevant development plan policy relating to employment development. The development will bring significant employment to the building and locality, and will add positively to the local food and drink related tourism offer. The use will complement existing cattle market uses. There are no residential properties in the vicinity of the site and no adverse amenity impacts will arise from the proposed use.
50. Accordingly, we consider that there is no barrier to a grant of planning permission in this instance.

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