



MEETING OF THE  
PLANNING COMMITTEE

Civic Suite, Parkside

29 May 2014

PRESENT:

PM Chandler (Chair), P Baguley,  
G Botterill, G Bush, P Cumbers, E Holmes,  
J Illingworth, P Posnett, MR Sheldon

Solicitor to the Council (HG), Head of Regulatory Services (JW),  
Administrative Assistant (SC)

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D1. APOLOGIES FOR ABSENCE

Cllr J Simpson (Vice Chair) and Cllr A Freer-Jones

D2. DECLARATIONS OF INTEREST

None

D3. MINUTES

Minutes of the meeting held on 24 April 2014

Page 222 – reasons for approval of 14/00131/FUL

Cllr Simpson queried the wording in respect of ‘no adverse impact on the countryside’ on the basis that if this was the case there would be no need for the condition we imposed. Suggested amendment to ‘*adverse impact on the countryside but which can be adequately mitigated with screening*’

Subject to the changes noted above approval of the Minutes was proposed by Cllr Bush and seconded by Cllr Baguley. The Committee voted in agreement. It was unanimously agreed that the Chair sign the Minutes as a true record.

#### D4. SCHEDULE OF APPLICATIONS

- (1) **Reference:** 13/00722/REM  
**Applicant:** Barratt Homes North Midlands  
**Location:** Land Adjoining Belvoir Road And Green Lane, Belvoir Road, Bottesford  
**Proposal:** Erection of 56 dwellings including 22 affordable 2 and 3 bedroom dwellings together with site access and entrance road, service utilities, infrastructure including pumping stations and associated open space on land to the rear (east) of 33-51 Belvoir Road Bottesford

(a) The Head of Regulatory Services stated that:

This was an application for reserved matters for a site with Outline Planning Permission at Bottesford. The application brought forward a number of issues but also facilitated housing supply and affordable housing. It was considered that the key issues for the Committee were;

- The raised level of the land – consequences for townscape, amenity and overlooking of existing houses (Permitted Development issue) and surface water drainage.
- Two householders had specifically asked me to draw to your attention aspects of concern to them. No 33 Belvoir Road (shown on plan) who were specifically concerned about the proximity of the house they would back on to and no 41, who were concerned about both distance and a change in levels (shown on plan) and drainage arrangements (run off) from a sloped garden.
- Housing Mix – less than ideal, viability assessment independently checked. The viability information had been questioned as to whether it addressed the site's viability or the current developer's ability to deliver.

In summary it was argued that the justification to accept the shortcomings of the site were not made by the viability assessment. This was because they were quite significant (listed, and similar in content to our own conclusions in terms of levels, housing mix, boundary fencing and housing mix) and the viability work had addressed only the current applicants capability, not the viability of the site and the prospect of a new developer stepping in and producing a scheme which carried the same provision in terms of affordable housing but a better design, mix and layout.

The viability work undertaken was reviewed by the Valuation Office and it was their conclusion we had been informed by, not the Applicant's. As such it based a calculation of 'on the borderline of viable' not on their circumstances (i.e. their contract with the landowner) but on the residual land and included in this the alternative land value, i.e. the extent to which a lower price for the land may be achievable.

Therefore, there was no evidence to rule out that another developer may take on the site, design the site differently etc. and produce a superior scheme – i.e. retaining those we regard as positive about this development as well as improvements on those we regard as weak). On the other hand, equally unknown, is whether if refused then deliverability was far from assured (i.e., there was nothing to say another developer will come forward, would be able to reach agreement with landowners, improve on design and layout issues, secure a contract for the correct quantity and type of affordable housing or develop/deliver a scheme with 'ideal' housing mix).

Overall the key decision however to consider these issues and whether agreed they are shortcomings, but even if there are, to consider their significance and balance against the positives of the proposal which were considered to be the provision of supply and delivery of affordable housing.

(b) Jason Young, on behalf of the Objectors, was invited to speak and stated that:

- The raising of ground levels by almost 5ft was twice that required to mitigate the flood risk and was only necessary to facilitate the proposed gravity drainage system.
- Raising the ground level could be avoided. Severn Trent approved the use of pumping stations at outline stage but the Applicant had not fully accounted for the cost of this option and so had opted for gravity drainage in the revised proposal.
- Raising the ground level had led to other design failings such as 6ft high fences around the boundary of the site.
- No provision had been made to prevent the run off of surface water from the gardens of the new properties into existing gardens on Belvoir Road.
- Raising ground levels would have an adverse impact upon existing properties along Belvoir Road which would become overlooked causing an unacceptable loss of amenity.
- In terms of the Local Plan and the requirements of the NPPF the report found the layout of the scheme to be poor, affordable units were not ideally distributed and more could be offered in terms of housing mix.

- The affordable homes included in the development did not mitigate for the poor design and poor housing mix offered by the application.

The Head of Regulatory Services referred to the Applicant's diagram and explained the need to look at the site from both angles to get a realistic impression of the impact of the development on existing properties.

(c) Robert Galij, on behalf of the Applicant, was invited to speak and stated that:

- Dialogue with Officers, Leicestershire County Council Highways, the Environment Agency and Severn Trent had reached a settled position.
- The points raised by Mr Young had already been addressed by The Head of Regulatory Services and in the Officer's report.
- The Applicant welcomed the conclusion from Melton Borough Council's Housing Policy Officer which was in favour of the proposal.
- In response to the comments of the Objectors Mr Galij highlighted that the key word was 'acceptability' and as all concerns raised had been satisfactorily addressed the proposal was acceptable.
- An appropriate balance had been struck regarding all relevant material planning considerations.
- If Members were to endorse the application the Developer would be able to deliver much needed housing stock both affordable and on the open market on this site.
- The development would meet housing need, address housing land supply, assist local economic growth through construction and jobs and inject investment into the rural area.
- Mr Galij considered approval to be the right and only decision stating that the development was good for Bottesford and the Borough.

Cllr Sheldon asked if a french drain was included in the application. In response Mr Galij commented that a controlled regulated system was included in the proposal and there was no possibility of surface water running onto existing properties.

Cllr Holmes asked if consideration had been given to the surrounding older properties with old drainage systems. Mr Galij explained that Engineers had surveyed the drainage requirements of the proposal and highlighted that the Applicant was not responsible for existing drainage systems, only to ensure that the new development did not make matters worse. There had been no objection from the Environment Agency, the Drainage Board or Severn Trent.

(d) Cllr David Wright, Ward Councillor for the area, was invited to speak and stated that:

- He had received 100 emails relating to the application complaining about the uninspiring layout, the poor mix of housing and inadequate drainage.
- The raising of the land was by far the biggest concern of those who had contacted him.
- The layout of the development was considered to be poor and the proposals needed to be revised.
- Although more affordable housing was needed this was not the only consideration.
- Bottesford required more 2-3 bed properties. The number of these should be increased in any revised proposals and the number of 4 bed properties reduced.
- The increase in ground levels would alter the character of the area and gave rise to possible flooding for residents along the West of the site.
- He concurred with the response of the Parish Council and would only support a revised version of the proposal.

The Head of Regulatory Services highlighted the concerns raised by Objectors in relation to the proximity of the site to the local cricket club. On the North boundary of the site there would be a tall 10m high protective net. This was an unusual feature and as such Councillors needed to take a view on this.

The Chair, also Ward Councillor for the area, commented that the proposals were of great concern to the people of Bottesford. With regards to the cricket club, any netting would need to be in place in perpetuity. The condition attached to the Officer's report required that the netting be maintained for 5 years. This was insufficient. The cricket club was a part of the village's heritage and its setting needed to be protected.

The Head of Regulatory Services responded to the comments made by Mr Galij:

- The proposals included a web of pipe work which gathered water and took it to a holding tank. Water was then released when the local water courses had the capacity to take it.
- However, the Applicant had not made specific provision to prevent water flowing down slope to gardens on Belvoir Road. Mr Young had called for a mechanised

drainage solution and it was for Members to decide if that was necessary.

- The main question for Members was how far they were prepared to compromise for affordable housing in Bottesford. A positive outcome was not inevitable and a balanced decision was required.

The Chair had voted in favour of the proposals at the outline stage but these had included pumping stations. The Chair felt unable to support the application and made the following comments:

- Raised levels at the extent included in the full proposals were unacceptable.
- The overall design of the development was too linear and too urban.
- The 2<sup>nd</sup> bedroom window facing no 33 should be removed.
- The Chair had concerns regarding the maintenance of fencing on the site.
- The proposals included ivy which was well known to damage masonry.
- Points had been made regarding the cricket club previously in the meeting.
- Although there was a real need for affordable housing in Bottesford it should not be built at the expense of good design.
- The Chair felt that this was a sub-standard development.

**The Chair proposed refusal of the application. This was seconded by Cllr Posnett.**

Cllr Cumbers asked if the land value was connected with what was paid for the land when it was purchased or connected with what it could be sold for in the current market. The Head of Regulatory Services confirmed that it was what could be easily achieved if sold now but this was not a straightforward calculation.

Cllr Bush also had concerns regarding the height of the land and would have preferred the use of a pumping station. Cllr Bush asked why the proposed development was situated so close to the cricket club when there were other areas of land which could have been used. The Chair confirmed that this was due to the lie of the land which made other areas unsuitable. Cllr Bush thought the development too close to the cricket club.

Cllr Botterill felt raising the land to be unnecessary and an avoidable source of aggravation to local residents.

Cllr Illingworth highlighted that the proposals were barely viable by the Developers own admission and commented that the amount of affordable housing exceeded the need. The Chair clarified that when outline planning permission was granted there was a requirement for 40% affordable housing, hence the current proposal.

Cllr Holmes commented that applications often varied from the numbers included at outline stage and the scheme was not acceptable in its form now. Cllr Holmes supported the proposal to refuse permission and encouraged the applicant to revise the proposals and come back with an improved scheme. Cllr Holmes asked what was

being used to build up the land, if this was sand it was not a viable option.

The Head of Regulatory Services clarified that the decision to build up the land had been made due to Drainage Authority requirements that unless there was an alternative this should be the method used. The question for Members was to decide if there was an alternative. The Head of Regulatory Services then clarified that 40% affordable housing was key to the approval of the application at the outline stage.

The Chair asked Members to summarise the reasons for refusal.

Cllr Posnett added the following comments:

- The development was not suitable for the village setting and was more appropriate for an urban area.
- Although the proposals complied with planning it was not what the people of Bottesford wanted.
- The proposals for drainage were unsatisfactory.

Cllr Botterill added that the development was out of character with the surrounding area.

The Head of Regulatory Services summarised the reasons for refusal:

- The increase in land levels
- The urban form being out of character with the surrounding area
- The mix of housing and market housing

Cllr Cumbers shared her experience of a similar development elsewhere where the land had been raised. The development was unsuccessful.

A vote was taken: Members voted unanimously to refuse the application.

Cllr Cumbers added that she hoped that the Applicant would return with an acceptable scheme as more affordable housing was needed in Bottesford.

**DETERMINATION: Refused, for the following reasons:**

**1. The increase in the levels of the site would result in a form of development that fails to harmonise with its surroundings and would be out of keeping with the neighbouring development. Accordingly it will not add to the quality of the area, nor does it respond adequately to local character or reflect the identity of local surroundings and would be contrary to Policies OS1 and BE1 of the Adopted Melton Local Plan or Part 7 of the NPPF 'Requiring Good Design'.**

**2. The proposed development, by virtue of its layout is considered to be of regimented urban form, inappropriate to and out of character with its village**

surroundings. The design will not add to the quality of the area, nor does it respond adequately to local character or reflect the identity of local surroundings. Accordingly the development would be contrary to Policies OS1 and BE1 of the Adopted Melton Local Plan or Part 7 of the NPPF 'Requiring Good Design'.

3. In the opinion of the local planning authority the proposed type of houses does not address the imbalance of stock type and size of dwellings required to reflect the housing needs of the area. The Housing Stock Analysis conducted in 2006 clearly demonstrates that there is a surplus of larger private market homes and a significant lack of smaller sized properties within Melton Borough and the north of the Borough. Accordingly the proposal fails to adequately contribute to a sustainable and balanced housing market and is therefore considered to be contrary to the objectives of the NPPF.

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- (2) Reference: 14/00136/OUT  
Applicant: Mr Duffin Builders Limited  
Location: Land to the rear of Hall Farm, Mere Road, Waltham on the Wolds  
Proposal: Housing development comprising of 8 units providing suitable accommodation for retirement or small work / live units

a) The Head of Regulatory Services stated that:

One additional objection had been received:

The proposed development fell entirely outside the existing village envelope, and was a greenfield site. Although, according to the Draft Village Envelope proposals issued to all Waltham households just a few years ago, Waltham was a Category 1 village regarding development, the document stated that "Should there be a need to identify sites for market housing, business or other uses on land adjoining a Category 1 village envelope, there would be further consultations with the village communities involved."

Similar to the previous application, the proposal had some shortcomings, particularly its position outside the village envelope. However, it was capable of delivering a sympathetic style of housing and, importantly, off site affordable housing.

Attention was drawn to recommendation part (a). It had been hoped to have had definitive figures to quote but that had not been achieved. Accordingly some tightening up of the terms of part (a) is needed and, if agreed, the contribution should be 'equivalent to the total cost of delivery of 3 x 2 or 3 bedroomed bungalows as part of the Council's new build project'. This was to ensure that proper provision was made for affordable housing (i.e. sufficient sum to provide the required number and type) and



the link to our project to ensure deliverability.

Cllr Cumbers enquired if the total cost of the land included the cost of the land to build these houses. The Head of Regulatory Services clarified that the cost of the land to build the houses was not included. The advantage of linking to one of our projects was that it was our land and there was no land cost.

A discussion then took place regarding whether the land had a real cost or not. Cllr Cumbers felt that there was a cost as the land could be sold or used for other purposes. The Chair agreed that Cllr Cumbers was right in one respect. However, the Borough was desperate for these types of properties to build on our own land. The Head of Regulatory Services closed the discussion stating that yes the land had a value but not a cost in terms of the proposal as such.

b) James Botterill, Agent for the Applicant, was invited to speak and stated that:

- The scheme was small scale, sensitively designed and much needed.
- The development was on the edge of the village and in walking distance of village amenities.
- It provided the ideal opportunity for local people to down size into age appropriate accommodation.
- The site was bordered by the A607 and Mere Road and was flagged by mature trees and hedgerows which would be retained.
- The Grade II Listed Hall Farm was situated next to the development and its setting would be preserved and enhanced by the scheme. Melton Borough Council's Conservation Officer agreed that the development would cause less than substantial harm.
- The Council was required to provide a 5 year supply of housing land plus 5%. This was currently not being met. The NPPF considers that where this is the case housing policies should not be considered up to date and permission should be granted unless the adverse impacts significantly outweigh the benefits.
- The proposals had received support from all Consultees and incorporated widening of points along Mere Road, footpaths designed to link to the village and single storey accommodation designed to meet lifetime home standards.
- Although the proposals did not include affordable housing contributions were to be made to provide affordable housing at an alternative site identified by Melton Borough Council.
- The proposal would not set a precedent for building outside the village envelope as the site was bounded by roads and could not be expanded further.



a) The Head of Regulatory Services had nothing to add to the written report.

b) Mr S Palmer, the Applicant, was invited to speak and stated that:

- The objections to the fence were being driven by one individual who had canvassed neighbours.
- Mr Palmer was the legal owner of the land bounded by the fence and was not claiming any land which was not rightfully his.
- The hedge which previously bounded the site was set back, thick and unmanageable.
- Once finished the appearance of the fence would be greatly improved.
- Mr Palmer used unsightly equipment for his business and the fence was required to screen the unsightly view from his neighbours. When Mr Palmer retired the fence could be removed.

c) Cllr Daly requested to speak on behalf of the Parish Council. The Parish Council was due to be represented by another Parish Councillor who had resigned before the meeting. Cllr Cumbers proposed approval of Cllr Daily's request to speak. This was seconded by Cllr Posnett.

- The Parish Council had received representations and discussed the issue at a meeting. The general view of the Parish Council was that the fence caused a negative impact on the street scene. They understood the need to hide unsightly work equipment but that did not mitigate the impact on the street scene.

The Chair, Ward Councillor for the area, highlighted that there was a covenant on the land which required properties to be open plan across the village of Bottesford.

Responding to Mr Palmer's comments regarding canvassing The Head of Regulatory Services reassured Mr Palmer that the decision would be made purely on planning grounds and would not be influenced by other factors.

Cllr Baguley knew the area well and agreed with the view of the Parish Council. **Cllr Baguley proposed refusal of the application.**

**The proposal to refuse the application was seconded by Cllr Cumbers** who commented that open areas should be retained; high fences around everyone's properties would be unsightly.

Cllr Botterill highlighted that the image before Members showed what the fence looked like now and not how it would look with a scalloped finish. However, although Cllr

Botterill understood that people needed privacy, even with a scalloped finish the fence was too high.

The Chair clarified the location of the fence which was along a long garden on the right as you entered the cul-de-sac. The hedge had previously been Leylandii which was also unacceptable. However, some kind of vegetation was preferable to a fence. Even on the revised drawing the fence was too high.

Cllr Illingworth requested a better illustration of what the fence would look like as opposed to what it looks like now. Cllr Illingworth pointed that, if Members were minded to refuse the application, a clear message of what would be acceptable was required.

Cllr Posnett admitted to being a fence owner who had received comments from her neighbours that the scalloping on the fence was pleasant. Scalloping had made a huge difference to the appearance of the fence around her property.

Cllr Cumbers highlighted that it was not only the height but also the length which was unacceptable.

Cllr Holmes asked if there was a requirement to provide the Canals and Rivers Trust with access to the brook on the site. Mr Palmer confirmed that he would allow them through the property. Cllr Holmes suggested the requirement be clarified.

Cllr Posnett asked if Mr Palmer could reapply. The Head of Regulatory Services clarified that there was no limit to the number of times an Applicant could reapply. The Chair added that there was no further fee either.

A vote was taken: 3 in favour, 5 against and 1 abstention.

The Chair hoped the applicant would reapply but reiterated that the fence looked too bland as it was at the moment.

Cllr Illingworth highlighted the need to provide more guidance for the Applicant. Cllr Cumbers suggested it would be more appropriate if Mr Palmer liaised with the Parish Council.

Cllr Holmes reminded Members of her suggestion to plant in front of the fence when the application appeared before Members previously.

**DETERMINATION: REFUSE, for the following reasons:**

**The fence, by virtue of its height and siting on a prominent outer bend location within an open planned estate represents and unsightly feature within the streetscene. It is therefore contrary to saved Policies OS1 and BE1 of the Adopted Melton Local Plan and the advice in the NPPF on design.**

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- 4) **Reference:** 14/00219/NONMAT  
**Applicant:** Mr Ian Hardwick – Ian Hardwick Limited  
**Location:** Land adjacent 23 Middle Lane, Nether Broughton, LE14 3HD  
**Proposal:** Amendments to application 13/00678/REM

a) The Head of Regulatory Services stated that:

One update, the Developer had made an offer of a fence between the development and no 23 Middle Lane Nether Broughton.

The Head of Regulatory Services reminded members that it was not possible to apply conditions to a non-material amendment. Their decision was not about acceptability, which was considered when the original decision was made. The consideration tonight was if the proposed changes made a significant difference.

b) Cllr Dorn, on behalf of the Parish Council, was invited to speak and stated that:

- Discussions regarding this application had been going on for some time and the Parish Council wished to be constructive. However, they felt the matter in question was material as opposed to non-material due to:
  - the changes conflicting with a condition on the original approval,
  - the inclusion of additional or repositioned windows with an impact on neighbouring properties,
  - changes which altered the description from the original application.
- The height of the window on the West side overlooking 23 Middle Lane could not be ascertained on the original application. This window would only be acceptable with a boundary fence of 2m.
- The Parish Council had no objection to the change from rendering to brick.
- The windows facing onto King Street were acceptable with the boundary wall having been replaced.
- The Parish Council were keen to bring the matter to a conclusion.

c) James Botterill, Agent for the Applicant, was invited to speak and stated that:

- The Agents were surprised that the application was being debated as the changes proposed had no material effect on the overall design or impact on neighbouring residents.
- The insertion of two ground floor windows on the Eastern elevation overlooking a newly constructed 1.5m high boundary wall would provide a limited view onto the village green. The approved design already included two windows which overlooked the same green. The green was a public space and as such there was no planning argument against the proposed change.
- The insertion of a ground floor window on the Western elevation which was included on the original plans but omitted from the original elevations. It was always part of the original design. The window would look onto an existing 5ft high fence. Their Client has offered to increase the height of the fence to 6ft.
- Members had previously approved a patio door which caused a bigger issue regarding overlooking than the proposal being considered today.
- The question of material or non-material amendment was irrelevant.

d) Cllr J Orson, Ward Councillor for the area, was invited to speak and stated that:

- Cllr Orson did not agree that the change was non-material and had received a high number of representations from local people.
- Melton Borough Council's website stated that windows overlooking other properties could be considered a material change and indeed other Councils across the country would have considered it as such.
- Members had visited the site and would take a view on the issue regarding the window overlooking 23 Middle Lane.
- The windows that overlook King Street would look over the wall onto the village green and seat.

The Chair asked for clarification on what constituted a material and a non-material amendment. The Head of Regulatory Services directed members to the introductory paragraphs of the report which provided a description lifted directly from the appropriate legislation. Confusion rises because what can be non-material in some circumstances can be material in others depending on the site. Hence the need for a site visit and the appearance of the application at Committee.

The Chair commented that Members had now had the opportunity to go inside the new build properties and the house to the North and was unable to see any significant problem.

Cllr Bush agreed with the Chair commenting that it was not possible to see anything disturbing. **Cllr Bush proposed acceptance of the non-material amendment.**

**This was seconded by Cllr Cumbers** who added that the property would look very odd without windows.

Cllr Illingworth asked for two points of clarification:

- Was the question over whether the amendment was non-material or material?
- If Members were minded to accept that the amendment was non-material, would they then be approving the proposed amendment by default?

The Head of Regulatory Services confirmed Cllr Illingworth to be correct and added that, should Members decide the amendment to be material, the applicant would then need to apply for permission to carry out the changes.

A vote was taken: Members voted unanimously to accept the non-material amendment.

#### **DETERMINATION:**

**ACCEPT as a Non Material Amendment to planning approval 13/00678/REM.**

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- (5) **Reference:** 14/00225/FUL  
**Applicant:** Melton Borough Council  
**Location:** The Rutland Arms, 25 King Street, Melton Mowbray, LE13 1XA  
**Proposal:** Demolition of former public house and change of use of land to public car parking

a) The Head of Regulatory Services had nothing to add to the written report.

**Cllr Sheldon proposed approval of the application. This was seconded by Cllr Botterill.**

Cllr Holmes raised a concern regarding the lack of provision of parking for lorries. However, Cllrs Posnett and Bush clarified that this was a separate issue from the current application in front of Members.

A vote was taken: Members voted unanimously to approve the application.

**DETERMINATION: Approved for the following reasons, subject to the conditions as set out in the report:**

**The proposal seeks to increase the parking provision within the town centre to accommodate visitors and residents parking requirements within the town. The former Rutland Arms has been vacant for a number of years and various planning consents have been secured but not implemented. The loss of the facility is not considered to have a detrimental impact upon the town's economy nor have a detrimental impact upon the character of the area. The public benefits gained from reuse of the site as public car parking can only assist in increasing the footfall into the town, increasing the viability of existing premises in the town. The building is not considered to be worthy of retention due to its poor state and is not considered to contribute to the setting of the adjacent Conservation Area.**

**D4. TREE PRESERVATION ORDER – REF: 151/924/6: GROUNDS OF WALTHAM ON THE WOLDS CHURCH OF ENGLAND SCHOOL, MELTON ROAD. WALTHAM ON THE WOLDS, MELTON MOWBRAY**

a) The Head of Regulatory Services stated that:

An Arboriculturist provided advice in full and as Members would recall was inconclusive in terms of the health of the tree. However, health was only one aspect and Members were invited to consider the amenity value of the tree based on the site inspection last week. To remind, a Tree Preservation Order was not a prohibition on any work ever being carried out, but provided the opportunity for works to be controlled and justified if necessary.

The Chair raised an issue where because the School had not received prior notice of the site visit it was not possible to go on to the site during the visit.

Cllr Baguley highlighted that the request to place a TPO on the tree was made by a member of the village which indicated that the tree was valued by some people in the local community.

Cllr Holmes, Ward Councillor for the area, commented that looking from both sides of the tree it was dangerous.

The Chair informed Members that Leicestershire County Council had not looked at the tree since 2009. The School had paid for a second opinion and that individual had taken a different view on the health of the tree.

Cllr Botterill commented that the tree was rotten inside and was likely to come down. A suggestion was made whereby the tree could be cut down and left on site for the benefit of nature.

**Cllr Holmes proposed not to confirm the Tree Preservation Order. This was seconded by Cllr Sheldon.**

Cllr Cumbers agreed with the proposal to refuse due to doubts over the safety, of the



tree, especially given its location within the grounds of a school.

Cllr Baguley highlighted that refusing the Tree Preservation Order did not mean that the School would then cut the tree down, only that they were not obliged to apply to the Council for permission to do so.

**A vote was taken: 8 voted not to confirm the Tree Preservation Order. Cllr Baguley wished to abstain from the vote.**

**DETRMINATION: That the Provisional Tree preservation Order is NOT confirmed.**

D5. URGENT BUSINESS

Members agreed the date for the site visit preceding the next meeting on Thursday 12 June. The site visit was scheduled for Friday 6<sup>th</sup> June at 10am.

The meeting commenced at 6.00 pm and closed at 7.48 pm