



MEETING OF THE
PLANNING COMMITTEE

Civic Suite, Parkside

28 January 2016

PRESENT:

J Illingworth (Chair), P Baguley, G Botterill,
P Chandler, P Cumbers, P Faulkner, M Glancy,
E Holmes, P Posnett, J Wyatt, L Higgins

Solicitor to the Council (SK), Regulatory Services Manager (PR),
Applications and Advice Manager (JW), Planning Conservation Officer (TE),
Administrative Assistant (KS)

D66. APOLOGIES FOR ABSENCE

Cllr Simpson

D67. DECLARATIONS OF INTEREST

Cllr Baguley declared an interest in Item 6 on the agenda.

D68. MINUTES

Minutes of the meeting 7 January 2016

Cllr Cumbers wished for the sentence on page 152 "Cllr Cumbers seconded the proposal and added that the Council takes more responsibility to find suitable land for travellers" to be changed to "the Council should be more proactive in finding land for travellers".

The Chair wished for it to be added that after the dialogue about adverts, a councillor requested that a rider be included in adverts that makes specific reference to land for travellers sites as opposed to a general call for arms for land, and specific action should be taken by the Council in terms of the wording of the advert.

Approval of the Minutes was proposed by Cllr Baguley and seconded by Cllr Botterill. The Committee voted in agreement. It was unanimously agreed that the Chair sign

them as a true record.

The Regulatory Services Manager noted that it was Kathryn Sharp's last Committee and thanked her for her support at Planning Committee for the past two years on behalf of all the Officers. The Chair also thanked her on behalf all Members.

D69. SCHEDULE OF APPLICATIONS

- (1) **Reference:** 15/00673/OUT
Applicant: First Provincial Properties Ltd – Mr N Griffith
Location: Millway Foods Ltd, Colston Lane, Harby
Proposal: Residential development of up to 53 dwellings

- (a) The Applications and Advice Manager stated that:

This application seeks outline consent for a residential development of up to 53 dwellings. The outline is for access approval only with layout, scale, appearance and landscaping reserved for future consideration. The access to the site will be from Colston Lane with a single point of access. The site lies detached from the village of Harby in the open countryside and is occupied by a redundant cheese factory. The application includes provision for 19 affordable units and an indicative layout has been submitted to demonstrate how the dwellings could be accommodated within the site but this layout is not for approval at this stage.

There are no updates to the report.

This application does represent a balance of competing objectives.

In terms of the merits of the application, firstly the proposal for up to 53 dwellings will assist in providing housing, the borough is deficient in terms of housing supply and this application would help to partially address this position. The application also proposes the provision of 36% affordable housing, affordable housing provision remains a key Council priority.

The site does perform reasonably well in terms of access to facilities and services. Harby is considered to be reasonably sustainable but is by no means an optimum site and their remains deficiencies in relation to higher/secondary education, health care and leisure facilities.

These need to be balanced against the harm, particularly the detachment from the built form of the village. The NPPF requires proposal to contribute to building a strong, vibrant and healthy community. The NPPF also requires development to address the connections between people and place and the integration of new development into the natural, built and historic environment. The location of the proposed development detached from the village is not

considered to support the social sustainability of the village by creating a detached community. The number of dwellings on the site does not reflect the character and form of this part of Harby to which it would relate. The proposal would be relatively “urban” in character on a rural approach and is considered to have an adverse impact upon the character and appearance of the countryside which contributes to the setting of the village.

Therefore the provision of housing and affordable housing are not considered to be sufficient public benefits that outweigh the unsustainable aspects of the development or the harm on the character and appearance of the area and as such the application is recommended for refusal as set out in the report.

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

- Proposal does not meet NPPF requirements
- Contrary to NPPF
- Limited benefits which do not outweigh the harm
- Separation zone, not conducive to happy environment
- Unsustainable

Cllr Cumbers asked how many dwellings there currently are in Harby.

Cllr Tillyard stated that there were approximately 300 houses.

Cllr Holmes asked if there was an employment site on Harby Road.

Cllr Tillyard confirmed that there was and the residents would like to maintain it.

(c) Myles Ponsonby, an objector, was invited to speak and stated that:

- There are better and more inclusive sites for the proposal
- Not in keeping with the rest of village
- Too dense
- Will lead to a segregated community
- Lack of proposed contribution
- Addition of children to community will take the school over capacity

Cllr Chandler asked if fund raising had been done for play facilities.

Mr Ponsonby stated that new play equipment had been in place since just before Christmas.

(d) Rob Hughes, the agent, was invited to speak and stated that:

- Report is contradictory in saying the density is too high when in 2009 an application was refused because the density was too low.
- Will boost housing supply in a sustainable location

- The homes will be for existing Harby residents
- Integral for community
- Redevelopment of brownfield site
- Proposed contributions to transport, play equipment, police, village hall and the school
- A new footpath will be put in
- Currently an eyesore
- Impacts do not significantly outweigh the benefits

Cllr Higgins noted that the land is employment land and asked if it there could be a redevelopment of the economic site instead of housing.

Mr Hughes stated that the land has been vacant and for sale for twelve years, however there is no demand for employment land purposes.

Cllr Higgins asked if there had been any negotiations or no interest at all.

Mr Hughes stated that there had been no real interest and the site is not benefitting anyone if left vacant.

(e) Cllr Byron Rhodes, the ward councillor, was invited to speak and stated that:

- Site is an eyesore
- Prefer commercial use
- 53 is too many houses, if the proposal was reduced to 30 there is more possibility of support
- Out of keeping with the village

Cllr Holmes asked if the farm on the opposite side of the site was a dairy farm as residential developments should be kept away from farms.

Cllr Rhodes stated that the farm was mixed use.

The Applications and Advice Manager stated that:

- In terms of the scale and density, it is more detrimental in the environment as opposed to the attractiveness
- The density is in relation to the ruralness of site.
- Harby is sustainable in terms of school, transport, etc., however it is unsustainable in terms of connectivity in the community. Detachment will not grow a health community.

Cllr Baguley proposed refusal of the application as it is too large a development that will lead to a disjointed community.

Cllr Posnett seconded the proposal and added that it was too big and too detached, and would lead to a mini community not relating to Harby.

A Cllr asked the Advice and Applications Manager how many houses were considered in the first application.

The Applications and Advice Manager stated that the application had been for a business centre with 6 live/work dwellings and 36 dwellings.

A Cllr stated that they would like to see an application for workshops in conjunction with houses. This application is over density and they could not support this many houses.

A Cllr stated that the development would have an adverse impact on the character and appearance of the countryside which contributes to the setting of the village. The site is brownfield and should therefore be used for industry purposes.

A Cllr stated that they encourage the land to be used as employment land. The application is not in keeping and detracts from the character of the village.

A vote was taken. It was unanimously decided that the application should be refused.

**DETERMINATION:
REFUSE for the reasons set out in the report**

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- (2) **Reference:** 15/00854/OUT
 Applicant: Ian Sparrow Equipment Ltd – Mr Ian Sparrow
 Location: Ian Sparrow Equipment Ltd, Grantham Road, Bottesford,
 NG13 0EE
 Proposal: Proposed residential development of 5 dwellings on the
 site of previously demolished petrol station

- (a) The Regulatory Services Manager stated that:
Since the publication of the agenda there were two updates to report:
i) The Parish Council have no objection to the proposal,
ii) The Highway Authority have provided revised comments ,but their
recommendation and suggested conditions are unchanged.

He briefly described the proposed development and the site location, noting that the application had been amended, with the number of dwellings reduced from six to five.

The key issues were summarised as detailed in the committee report. Stated that this would be a conventional frontage development replacing a former garage which would appear acceptable in this location. There would be adequate distances from and relationship with neighbours, with no significant impact upon privacy and amenity. There was not considered to be any significant impact upon

highway safety . Noted that the Highway Authority had raised no objection.
(b) Patricia Bassett, an objector, was invited to speak and stated that:

- Houses previously refused as out of keeping
- Dwellings have rooms upstairs, therefore are not bungalows
- Site surrounded by retired residents
- 2 bed bungalows needed to cater for aging residents
- Alter application to include 1 storey bungalows

The Regulatory Services Manager stated that the distance between the dwellings is 20m, which is in excess of what is required.

A Cllr was concerned that if there was a hedge or fence put up on plot 5, the view to the road would be obscured. They asked if it could be conditioned that if a fence was put up it could only be so high.

Cllr Chandler proposed to approve the application as it is a brownfield site and the dwellings do not overlook existing properties with 23m separation.

Cllr Posnett seconded the proposal and added that the buildings would fit in with the mixture of properties, and there would be less noise than the previous use of a garage.

The Chair asked if the proposer and seconder were happy to incorporate the condition of having a height limit on a fence or hedge due to the visibility concern.

The Regulatory Services Manager advised that this is maintained by LCC Highways.

A Cllr wanted to know if the Environment Agency's condition was included.

The Regulatory Services Manager stated that it was.

A Cllr added their support, stating that it was an appropriate use for the site.

A vote was taken. It was unanimously decided that the application should be permitted.

DETERMINATION:

PERMIT, subject to the conditions set out in the report.

ITEM 5 Report of Head of Regulatory Services - Casual ward, matron's residence and former workhouse: land and buildings at Melton Mowbray Hospital, Thorpe Road, Melton Mowbray, LE13 1SJ

The Regulatory Services Manager made Members aware of an email and letter which had been received from the agent on 26th January 2016. The Members

confirmed that they had all seen the letter and noted that copies had also been circulated at the meeting. The Regulatory Services Manager read out the email in full.

(a) The Planning Conservation Officer stated that:

This item proposes the commencement of a 21 day consultation period for the establishment of a non-immediate Article 4.Direction, to remove the right to demolish identified buildings at St Mary's Hospital, Melton Mowbray.

The Article 4 Direction does not intend to remove any other permitted development rights, restricted only to rights of demolition.

Melton Borough Council is acting in the interest of the Local Authority and members of the local community.

Melton Borough Council has been in contact with the agent acting on behalf of the existing freeholder and will consider any forthcoming representations subject to the agreement of an Article.4 consultation process.

A: Former Workhouse

Built 1836, Grade II listed 1976, delisted 2001 due to significant extensions.

Original historic fabric of the building still remains.

Article 4 Direction seeks to remove demolition rights to ensure any future redevelopment of the building incorporates the principles of good design.

Currently a heritage asset of local interest, if later extensions were removed, the building would be of national interest.

B: Vagrants Cells

Built post 1895, rejected for listing 2001.

Historic England (HE) designation criteria for vagrant's cells recently changed.

MBC contacted by HE to suggest a submission for listing would be reconsidered.

Email 28.1.16 from Rebecca Carter, Designation Coordinator, Historic England

'Dear Mr Ebbs

Vagrants cells, St Mary's Hospital, Melton

Further to our telephone conversations, I have spoken to my Team Leader Tony Calladine, and am emailing to let you know that we consider the vagrants cells to be worthy of assessment for listing, and would therefore welcome an application for listing.'

C: Matrons Ward

Built 1863, rejected for listing 2001.

Linked to the former workhouse via a corridor, recognised as a heritage asset of local value.

Loss of building would not harm significance of former workhouse.

In the absence of a local list, MBC is taking positive steps to respond to the local community and protect its non-designated heritage assets.

During the consultation period, MBC would seek to engage the local community

and identify the communal values of the site – as well as liaising with property owners and their agents.

The criteria for listing has changed since 2000 and HE are currently assisting in the application for listing of the Vagrants Cells. An Article.4 Direction would ensure the building is not demolished before any listing decision is taken.

An ideal outcome for the former workhouse is to remove later extensions and reveal its original form; a suitable prospect for residential conversion.

Cllr Holmes proposed to approve Item 5, stating that the buildings are fascinating.

Cllr Higgins seconded the proposal and added that it is a tribute to the history of Melton.

A Cllr added that they had had contact from concerned residents about the demolition of the vagrant cells, so the people of Melton will be thrilled.

A Cllr stated that it is essential to try to save the buildings as there will be nothing to look back on. They must be preserved as the workhouse is a tourist attraction.

A Cllr stated that they are buildings to be treasured and they should be preserved for future generations.

A vote was taken. It was unanimously decided that Item 5 should be approved.

DETERMINATION: That the Article 4 Direction procedure should be initiated as set out in the committee report

Cllr Baguley left the meeting at 7:20pm

ITEM 6 Report of the Head of Regulatory Services – Condition of land at Chapel Street/Orchard Close, Barkestone Le Vale

(a) The Regulatory Services Manager stated that:

Briefly outlined the condition of this building site and updated Members with an email from the site owner. Displayed a photograph which indicated how the fencing has been reinstated since the date of the site visit.

Recommended that there was no significant impact upon amenity and should not serve a Section 215 Notice.

Cllr Chandler proposed to accept the recommendation, however she stated that the fencing had fallen down and was an obstruction to pedestrians on the footpath. She stated that as long as the owner of the site puts the red fence back up securely there is no need to serve a notice.

Cllr Holmes seconded the proposal and agreed that the fence was an obstruction.

A Cllr asked if Officer's had visited the site before deciding a report was needed.

The Regulatory Services Manager stated that officers had visited and assessed the site, however the level of public interest meant a report was needed.

A vote was taken. It was unanimously decided that a notice did not need to be served.

DETERMINATION: That the Committee declines to serve a Notice under Section 215

ITEM 7 Report of the Applications and Advice Manager – Development Control performance 2015/16 quarter 3

(a) The Applications and Advice Manager stated that:

There has been some decline Quarter 3 in some of the areas of performance, however this is being monitored and there was gap between officers and a staff shortage. The appeal record is currently very good. She stated that the Development Control team won the resilience award from the Chief Executive and congratulated the team on their achievement.

The Chair stated that Members were happy with the performance and were appreciative of all the efforts and advice of the Officers.

Report Noted

D70. ITEM 8 Report of Head of Regulatory Services – 15/00576/FUL: Melton Mowbray Cattle Market

(a) The Regulatory Services Manager stated that:

In October 2015 the committee resolved to grant planning permission subject to a Section 106 agreement .

The report is to invite Members to consider an alternative approach to securing the public transport improvements in connection with this development ,in lieu of a Section 106 agreement. This is considered to be necessary because complex ownership is delaying the agreement and the issue of planning permission, putting at risk grant funding which is subject to demanding timetables.

Reported that following the publication of the urgent item the Highway Authority had requested that reference “which shall be entirely at the developer’s expense” should be deleted from the proposed condition and to ensure implementation “before the development is brought into use “ be added to the end of the condition.

The proposed condition as amended is:

The development hereby permitted shall not be brought into use until a scheme for the provision of enhancements to bus stops in the vicinity comprising access arrangements, bus shelters signage and RTI displays has been submitted to and approved in writing by the Local planning Authority. The scheme shall provide full details of the provision proposed and a timetable for their implementation, The development shall be carried out in full accordance with the scheme and its timetable as is approved before the development is brought into use.

The Chair proposed to adopt the recommendation of officers.

Cllr Wyatt seconded the proposal.

A vote was taken. It was unanimously decided that Item 8 should be approved.

DETERMINATION:

Agreed to imposition of an additional condition to secure transport infrastructure (in lieu of S106 Agreement) a set out above

The meeting commenced at 6pm and closed at 7:35pm