



MEETING OF THE
PLANNING COMMITTEE

Civic Suite, Parkside

23 May 2013

PRESENT:

P.M. Chandler (Chair), P. Baguley, G Botterill
G Bush, P. Cumbers, A Freer-Jones, J Illingworth
J Simpson, J Wyatt,

Observing Councillors: Cllr J Moulding

Head of Regulatory Services, Solicitors to the Council (VW and VJ)
Planning Policy Officer (KM), Administrative Assistants (JB)

D1. APOLOGIES FOR ABSENCE

Cllrs T Moncrieff and E. Holmes

D2. MINUTES

23 April 2013

Cllr Baguley proposed approval of the minutes, Cllr Wyatt seconded the proposal. It was unanimously agreed that the Chair signed them as a true record.

D3. DECLARATIONS OF INTEREST

None

D4. SCHEDULE OF APPLICATIONS

(1) **Reference:** 13/00128/OUT
Applicant: Haywood Properties

Location: Land Adjacent Unit 9, Crown Business Park, Station Road, Old Dalby
Proposal: Outline application for enterprise village for B1 and B2 uses including earth modelling, road layout, drainage and strategic landscaping details.

(a) The Head of Regulatory Services stated that:

The applicants response has been received on various matters raised during the consultation process as follows:

Geohazards.

The application is in outline and while consideration has been made to the geotechnical limitations of the site, there remains the requirement for intrusive ground investigation prior to formulating the foundation solution. Farrow Walsh has said:

There are a number of solutions available to the developer in achieving the terraced arrangement that include but are not limited to; soil stabilisation, soil reinforcement or the importing of engineering fill.

It is the drainage of the soils that is of paramount importance in limiting the lubrication of the soils and propagating any potential failure planes.

The incidents described by the objector was the result of huge piles of rock and mining spoil or 'tips' and a build up of water that lubricated the placed materials over the natural sandstone resulting in the materials sliding downhill.

With regard to the upslope surface water runoff this will be accommodated by land drainage removing the water to the head of the slope and draining into the existing land drainage system. The additional runoff is directed to the proposed attenuation feature where it is held releasing surface water into the existing land drainage network at existing levels.

Access Route.

With regard to the void under the access road, this has been capped by a structure which in the past has been suitable for military tanks to traverse. If it is or becomes a problem, the site owners will address it.

The proposal will not generate significant additional HGV use due to the small scale of the units which will be built.

With regard to road width and bend, as this is a private road, the owners will address any issues which are brought to their attention.

Alleged ground vibrations can also be fully investigated and dealt with at construction proposals at detailed application stage.

If the Council or the Highway Authority wish to be involved in the investigation and

any necessary resolution of these matters, this involvement could be dealt with by an appropriately worded planning condition on any outline planning permission granted.

The Head of Regulatory Services summarised the planning issues and advised that whilst contrary to the Local Plan, the proposal performed well against the definition of sustainable development, especially the economic component, but less than fully because of the dependence on private transport arising from its location.

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

- Further development is unsustainable until the road infrastructure is improved
- The NPPF states that sustainable development is not just about economic development; other issues should be considered too. Economic development should not have undue influence.
- Growth on the site has resulted in increased HGV movements and has outpaced the road network, which have seen no road improvements
- There are a lack of footpaths in the vicinity which is dangerous for pedestrians
- The County Council spend a lot of money repairing and maintaining the roads in the area due to HGV damage
- Traffic from the Business Park often goes through Old Dalby creating extra pressure; new units will increase problems
- Only 1 bus passes an hour, which does not meet a demand for people coming to work in the area and is therefore not contributing sustainable transport facilities
- Traffic is a major issue; the Highways Department do not believe there is an issue, but they do not live there
- The Business Park needs better infrastructure improvements before expansion is considered.

(c) Mr Fairhurst on behalf of the Applicant was invited to speak and stated that:

- Mr Haywood is a successful businessman and created the Business Park by adapting redundant MOD buildings, providing many local jobs. His experience in the area is valuable when considering what can be done at the Business Park
- The Applicant is meeting a need for business units in the area
- The site (2.7 hectares to the rear of the Park) is previously developed land and the current proposal makes better use of the land than a previous planning permission gave
- The type of development will not attract an increase in HGVs
- The NPPF is very supportive of economic development and this is an exciting opportunity for local growth.

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

- The site was chosen by the MOD because it was out of the way and therefore is inherently unsustainable. It was serviced by a rail link and a bus park, both of which are now gone
- The Park is reliant on the road network and local rural life is being squeezed by the increases in traffic
- If approved, the Developer should be asked to investigate providing a new access road, at his expense, to the Saltway - thus bypassing local villages

The Head of Regulatory Services replied that:

- Page 3 of the Officer's report recites policy on sustainable development and clarifies the Governments' position on economic development.
- Traffic is the main concern of most of the objectors however there is no evidence to support this. Evidence is required by the NPPF before traffic concerns can be given weight
- Although the site is not ideal it does support many aspects the NPPF is prioritising
- Regarding the alternative access road – the Applicant has not presented this and Members have to consider what is before them

The Chair noted that Enterprise Villages are encouraged in current Government policy and suggests that Members need to balance this with the concerns raised regarding traffic.

Cllr Botterill **proposed approval of the application** as Members should be encouraging economic development in rural areas.

Cllr Cumbers **seconded the proposal to approve the application** as it offered exciting prospects and opportunities for Old Dalby and Melton. She hoped that the Highways Department are proved correct and traffic issues are not made worse.

Members discussed traffic issues including the direction of traffic from the site. Members agreed that an alternative access road could be useful but acknowledged it was not part of this application. The Chair noted that land ownership issues may hold back plans for improvements to access.

On being put to the vote the application was approved unanimously.

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

The proposal is considered to be acceptable in terms of access arrangements and scale and to have no significant adverse impact upon the amenities of neighbouring properties. The NPPF seeks to encourage sustainable economic growth including rural locations. Conditions 4 and 5 are imposed to ensure a satisfactory appearance, conditions 6 and 8 are imposed in the interests of residential amenity, condition 7 is imposed in the interests of highway safety. The proposal is therefore considered to accord with the above stated policies and no other factors are present to indicate that the decision should depart from the terms of the Development Plan.

- (2) Reference: 13/00043/COU**
Applicant: Mr William Linday
Location: Canal Farm House 19 Langar Lane Harby LE14 4BL
Proposal: Change of use from residential annexe to separate residential accommodation

(a) The Head of Regulatory Services stated that:

No new issues to report.

The key issue we see here is a potential for conflict between policies. OS 2 remains extant in terms of its role of protecting the countryside but the NPPF seeks to boost housing and support sustainable development.

Because of the existing place of the building we feel it will not affront OS2 and its objectives, but would satisfy NPPF aspirations for new housing in sustainable locations (Harby is a Sustainable village).

Accordingly, whilst in breach of OS2, it is not harmful to its objectives and considered to be outweighed.

(b) Cllr Weston on behalf of the Parish Council (PC) was invited to speak and stated that:

- The proposal is outside the Village Envelope but due to the sensitive design and the footprint the PC does not object to the application
- The development serves a genuine need of the Applicant and the PC considers this to be sustainable development.

(c) Mr Linday, the Applicant, was invited to speak and stated that:

- The farm is part of the village
- The application has received support from neighbours
- The application is meet the needs of the family and not a development opportunity

- 2 bed properties are needed in the area.

Cllr Baguley, Ward Councillor for the area, **proposed approval of the application** stating that there was no harm to the countryside from this application and it met local need.

Cllr Wyatt **seconded the proposal to approve the application.**

Cllr Simpson asked that condition 3 be altered to reflect the parking requirements of the existing building as well as the proposed development because of the existing siting of the building.

The Head of Regulatory Services replied that the condition could be altered accordingly.

Cllrs Baguley and Wyatt agreed to the changes to the condition.

Members agreed that although the proposal is outside the Village Envelope on this occasion the development would not harm the countryside because of the sensitive design and type of development proposed.

On being put to the vote the application was approved unanimously.

DETERMINATION: PERMIT, subject to conditions and amendment to condition 3 as follows, for the following reasons:

Condition 3: The car parking and turning facilities shown on the plans hereby approved shall be provided, hard surfaced and made available for use before the dwelling is occupied and shall thereafter be permanently so maintained.

Reasons: Whilst the proposal is outside of the village envelope, the buildings already exist and are within an established residential curtilage and therefore it is considered that the introduction of a dwelling at this site would not cause physical harm to the countryside (i.e. it would not prejudice the objectives of Policy OS2. Condition 4 is imposed to ensure the property is retained as a two bedroomed property for which there is a housing need.

D5. URGENT BUSINESS

None.

The meeting commenced at 6.05 p.m. and closed at 6.50pm.