

# Minutes

<b>Meeting name</b>	<b>Planning Committee</b>
<b>Date</b>	<b>Thursday, 28 November 2019</b>
<b>Start time</b>	<b>6.00 pm</b>
<b>Venue</b>	<b>Pera Business Park, Nottingham Road, Melton Mowbray, LE13 0PB</b>

## Present:

**Chair** Councillor M. Glancy (Chair)

**Councillors**

P. Cumbers	J. Douglas
P. Faulkner	L. Higgins
E. Holmes	J. Illingworth
M. Steadman	P. Wood
R. Smedley (Substitute)	

## **Observers**

**Officers**

- Assistant Director for Planning and Delivery
- Solicitor to the Council (RP)
- Planning Policy Manager
- Planning Officer (RN)
- Democratic Services Officer (SE)

Minute No.	Minute								
PL152	<p><b>Apologies for Absence</b>  Apologies for absence were received from Councillors Chandler and Posnett MBE.   Councillor Smedley was appointed as substitute for Councillor Posnett.</p>								
PL153	<p><b>Minutes</b>  The minutes of the meeting held on 31 October 2019 were confirmed and authorised to be signed by the Chair.</p>								
PL154	<p><b>Declarations of Interest</b>  There were no declarations of interest.</p>								
PL155	<p><b>Schedule of Applications</b></p>								
PL156	<p><b>Application 19/00377/REM</b></p> <table border="1" data-bbox="288 887 1433 1104"> <tr> <td><b>Reference:</b></td> <td>19/00377/REM</td> </tr> <tr> <td><b>Applicant:</b></td> <td>Pegasus Group</td> </tr> <tr> <td><b>Location:</b></td> <td>Field OS 0002, Leicester Road, Melton Mowbray</td> </tr> <tr> <td><b>Proposal:</b></td> <td>Development of 266 dwellings with associated landscaping and drainage</td> </tr> </table> <p>The Local Plans Manager addressed the committee and provided a brief summary of the application. Mrs Legge also confirmed :</p> <ul style="list-style-type: none"> <li>• Following the publication of the Officer’s report, the applicant had submitted details of the proposed materials including a materials plan, and the highway authority had responded to the consultation. This information had been circulated to Members by email</li> <li>• In addition to this updated information, a further public comment had been received stating that in determining the access onto Leicester Road the highway authority had failed to take into consideration the access to the Westleigh housing development to the north of Leicester Road. However, the Committee was aware that this application related only to the reserved matters; the access was approved under the 2015 planning application, at a similar time to the Westleigh housing application</li> <li>• This application had been reviewed by a design review panel in September 2019, and amendments had been made to the scheme in response to this. The path along the north south link to the west of the site had been reinforced as a continuous green corridor and pedestrian footpath from the attenuation basin towards the public open space</li> </ul>	<b>Reference:</b>	19/00377/REM	<b>Applicant:</b>	Pegasus Group	<b>Location:</b>	Field OS 0002, Leicester Road, Melton Mowbray	<b>Proposal:</b>	Development of 266 dwellings with associated landscaping and drainage
<b>Reference:</b>	19/00377/REM								
<b>Applicant:</b>	Pegasus Group								
<b>Location:</b>	Field OS 0002, Leicester Road, Melton Mowbray								
<b>Proposal:</b>	Development of 266 dwellings with associated landscaping and drainage								

- Overall the design review concluded that subject to those amendments, the masterplan was a well-considered response to the site constraints and made the most of the opportunities that the topography and existing vegetation provided
- Recently following further discussions with Bellway and their agents, to further enhance the 'green credentials' of the site the developer had agreed to offer the provision of wiring for car charging points to all of the private 4 bedroom dwellings (amounting to 79 dwellings, which was around 30% of the site) in an attempt to satisfy policy EN9 of the Local Plan. This was not however a requirement of the outline permission

Pursuant to Chapter 2, Part 9, Para 2.8-2.28 of the Council's Constitution in relation to public speaking at Planning Committee, the Chair allowed the following to give a four minute presentation :

James Hicks of Pegasus Planning Group, Agent on behalf of Applicant

Following questions from Members, Mr Hicks confirmed:

- Duration of the build programme would be 4-5 years, dependent on market response and work would commence on site in the first quarter of the new year
- There was no obligation to use greener methods of heating for the homes than those proposed at the current time however building regulations could change during the build period and homes would be built to the latest standard required
- He was satisfied that there were sufficient drainage arrangements on the site
- Electric car wiring had been added for the larger houses in response to purchaser demand

During discussion the following points were noted:

- The internal highways of the site were currently not adopted but developers were working with the Council and Highways on the requirements to ensure adoption such as widening on corners and bends, speed controls and changing gradients etc
- CCTV was not a planning requirement although had been suggested by the Police. There was a concern how this would affect the look and feel of the estate
- Members were in agreement that the developers had listened to the Council's concerns, made the required improvements and worked with officers to bring a good application
- Carbon neutrality was considered and there was a request for more trees on the site and it was agreed that this could be included as part of consideration of the soft and hard landscaping scheme
- Councillor Illingworth would be included in the working group that considered the landscaping proposals

Councillor Higgins proposed the recommendations in the report and to incorporate

the additional conditions reported by the Lead Planning Officer. This was seconded by Councillor Steadman.

### **RESOLVED**

That application 19/00377/REM be **APPROVED** in accordance with the conditions set out in the report and the additional conditions as follows:

- Notwithstanding the submitted plans, any garage doors shall be set back from the highway boundary a minimum distance of 5.5 metres for sliding or roller/shutter doors/ 6.1 metres for up-and-over doors / 6.5 metres for doors opening outwards and thereafter shall be so maintained
- Notwithstanding the submitted plans, any new / replacement windows and/or doors within 0.5 metres of the footway shall not open so to overhang the public highway and shall thereafter be maintained in perpetuity
- No development which obstructs or affects the existing public footpath (E9) that crosses the site shall take place until a scheme for its treatment has been submitted and approved in writing by the Local Planning Authority. Such a scheme shall include provision for management during construction, surfacing, width, boundary crossing points, signing and landscaping in accordance with the principles set out in the Leicestershire County Councils Guidance Note for Developers. Thereafter, the development shall be carried out in accordance with the agreed scheme and timetable
- Where a Public Right of Way crosses a Carriageway, drop kerbs should be installed at the crossing points
- Prior to the first occupation of each 4 bedroom market dwelling the wiring for an electric car charging point shall be provided in a location close to the parking provision for that plot

(Unanimous)

### **REASONS**

- The application site is allocated for housing and outline planning permission for the development has been granted. The principle of the access and the number of units proposed were debated, considered and approved by Members at the outline stage.
- The proposal as revised would result in a form of development that would be sympathetic to the character of the locality by virtue of its appearance, landscaping, layout and scale and would not unduly compromise residential amenity or be prejudicial to highway safety. For these reasons, the proposal is considered to comply with the relevant paragraphs of the NPPF, the National Design Guidance and Policy D1 of the Melton Local Plan which requires all new

development to be sympathetic to the character of the area in which the site is located.

PL157

**Application 19/00245/REM**

<b>Reference:</b>	19/00245/REM
<b>Applicant:</b>	Barratt Homes
<b>Location:</b>	Land off Field OS 0002, Leicester Road Melton Mowbray
<b>Proposal:</b>	Approval of reserved matters (appearance, landscaping, layout and scale) related to Phase 1 of the outline approval 15/00910/OUT for the erection of a total of 520 dwellings (the wider approved development) and provision of drainage associated infrastructure and public open space (Phase 1 of 17/00717/VAC /15/00910/OUT)

The Planning Officer addressed the committee and provided a brief summary on progress of the application. Mr Nallamilli also explained :

- This proposal followed on from the planning application just considered and was linked to the wider site
- The report set out the key design policies and identified some faults with the design approach taken by the developer on pages 7 and 8
- Since the circulation of the report recommending refusal the applicants had submitted new images of the site access which were displayed to the Committee
- The applicants had submitted a whole series of sectional landscaping plans to demonstrate why their landscaping was acceptable. The updated plans did not address the landscaping issues identified
- Boundary Wall – the applicants were proposing a boundary wall as a design feature at the entrance off Kirby Lane, it would be more appropriate for this to be a green filtered screen
- Recommendation - Officers met with Barratts in the previous week, the agricultural land owner's representative Mr Granger and a representative from Gladmans who secured the outline scheme and were still involved in the subsequent transactions, however since circulation of the report, Officers had received further correspondence from Barratts. They still requested that the Reserved Matters application (Ref: 19/00245/REM) be considered by the committee in its current submission
- Barratts had committed themselves to working with officers positively to improve the scheme in terms of the layout and offered to negotiate on the second application if this scheme was refused
- Officers welcomed the commitment from the developer to get their design team to resolve the design's issues which had been identified and as such he proposed that the recommendation be changed to deferral. This was to enable the developers to meet with officers and negotiate an improved scheme with a focus on the following :

(a) a scheme that will function well and add to the overall quality of the area, not

- just for the short-term but over the lifetime of the development;
- (b) produce something that is visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - (c) produce something which is sympathetic to local character and history, including the surrounding built environment and landscape setting;
  - (d) establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and a distinctive places to live, and visit;
  - (e) produce a sustainable development which also recognises the implications arising from the effects of climate change.

To achieve and secure these objectives the Planning Officer suggested a change to the recommendation :

That the Planning application be deferred to enable the Assistant Director for Planning and Delivery in consultation with the Chair and Vice Chair of the Planning Committee to facilitate a series of design workshops with Barratts Design Team to secure the design objectives referred to above and then to report the Revised Scheme back to Planning Committee for further consideration.

Pursuant to Chapter 2, Part 9, Para 2.8-2.28 of the Council's Constitution in relation to public speaking at Planning Committee, the Chair allowed the following to give a four minute presentation :

Robert Galij of Barratt Homes

Following questions from Members, Mr Galij confirmed:

- In his speech he had tried to put the other side of the story to the application but wished to continue dialogue and working with the Council to reach an amicable settlement
- There was a second application, similar to the one under consideration, in progress and the developers were satisfied with the second scheme

During discussion the following points were noted:

- The developers' second application was almost identical and was in the planning system and this was a strategy adopted by some developers, however the committee needed to focus on the current application before them
- Planning Officers had worked as a team on this application in a professional way; by sharing information and offering different views Officers had to express their views to improve the scheme even if they were not popular with the developer. A deferral would help all sides continue to move forward with this application
- The developer could submit an appeal on the basis of being over time in determining the application, however it was considered that the amendments to the recommendation would provide a positive way forward for the Developer and the Planning authority to work together

- Members were supportive of a deferral to allow discussions to continue and to ensure the best scheme possible was approved that met all their aspirations
- Ward Councillors be invited to future meetings concerning the application

Councillor Holmes proposed that the application be deferred to allow officers to work with the developer to address the issues highlighted in the report. This was seconded by Councillor Higgins.

**RESOLVED**

That application 19/00245/REM be **DEFERRED** to enable the Assistant Director for Planning and Delivery in consultation with the Chair and Vice Chair of the Planning Committee and the Ward Councillors to facilitate a series of design workshops with Barratts Design Team, for all parties to work positively and proactively to secure the design, sustainability and climate change objectives set out in the Adopted Local Plan and to specifically address and deliver the following objectives;

- (a) a scheme that will function well and add to the overall quality of the area, not just for the short-term but over the lifetime of the development;
- (b) produce something that is visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) produce something which is sympathetic to local character and history, including the surrounding built environment and landscape setting;
- (d) establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and a distinctive places to live, and visit;
- (e) produce a sustainable development which also recognises the implications arising from the effects of climate change.

(Unanimous)

PL158

<b>Reference:</b>	19/00890/FUL
<b>Applicant:</b>	Mr and Mrs Edwards
<b>Location:</b>	Brambles, 35 Bolton Lane, Hose
<b>Proposal:</b>	Erection of detached building to rear garden to form small cattery business with residential use of dwelling

**Application 19/00890/FUL**

The Planning Officer addressed the committee and provided a brief summary of the application and the issues it gave rise to.

Pursuant to Chapter 2, Part 9, Para 2.8-2.28 of the Council's Constitution in relation to public speaking at Planning Committee, the Chair allowed the following to give a four minute presentation :

- (1) Mr and Mrs Edwards, the Applicants

Following questions from Members, Mrs Edwards responded :

- Specialist cleaning agents for pets would be used to cleanse the drains and avoid smells. The spray used would remove all contamination. Wipes and all waste would be treble bagged before disposal. Environmental Health had indicated approval to the cleansing plan. Fortnightly specialist bin collection would be arranged and the applicants would monitor smells and arrange weekly collection if there was unpleasant odour from the cattery
- The bins were located next to a fence shared by the neighbours and their garden was on the other side of the fence
- There was car parking at the house for multiple cars, however an appointment system would be in operation, therefore only one car being the cat owner would visit at a time
- There was heating and ventilation for the cats to accommodate all outdoor temperatures

(2) Councillor Chris Evans, Ward Councillor made a four minute presentation

A point of order was raised by Councillor Higgins who requested that Councillor Evans refrain from approaching Members of the Committee during the meeting in the interests of transparency and impartial decision-making.

During discussion the following points were noted:

- The applicants lived in the house adjoining the garden in question therefore they wished to maintain the same high standards in the business as was evident in their home (from the Planning Officer's visit)
- No objections had been received from the Highway Authority nor Environmental Health however the scheme had been slightly amended to deal with ventilation issues raised
- There would be some impact on neighbours but not enough to warrant refusal
- The applicants were investing in a high quality building and materials therefore a temporary permission was not viable
- The majority of Members were supportive of the venture and had evidence from their own experiences with cats that it was not usual for cats to smell
- It was mentioned that individuals could have 8 cats of their own with no regulation and no recourse for dealing with complaints
- It was felt that small rural businesses such as this were to be welcomed
- Neighbours' concerns were understood by most Members but they were not felt to be strong enough for refusal
- Should there be concerns in the future, residents could contact Licensing or Environmental Health with their complaints
- Concerns were raised at the site being in the middle of the village and there being potential for dangerous traffic manoeuvres whilst accessing the site
- With regard to the concern on siting and collection of refuse bins early in the morning, the Planning Officer advised that these matters could be resolved by



management conditions added to the application

- The Ward Councillors did not support the application due to the impact on the village and neighbours in spoiling the amenity of neighbouring gardens, smell, refuse siting, refuse collection times and highway concerns

Councillor Cumbers proposed the recommendations in the report with the addition of appropriate conditions in relation to refuse arrangements. This was seconded by Councillor Illingworth.

### **RESOLVED**

That application 19/00890/FUL be **APPROVED** in accordance with the conditions set out in the report and a further condition requiring appropriate management for the siting and collection of refuse.

(7 in favour, 3 against)

### **REASON**

- It is considered that the small scale nature of the cattery is acceptable subject to conditions, the proposal would not result in significant detrimental harm to residential amenity, nor harm to the setting of the conservation area or be prejudicial to highway safety.

(Councillors Holmes and Steadman requested that their vote against the preceding application be recorded.)

PL159

<b>Reference:</b>	19/00500/VAC
<b>Applicant:</b>	-
<b>Location:</b>	Levesley House, 14 City Road, Stathern
<b>Proposal:</b>	Proposed variation of conditions 2 and 10 of application 18/00980/FUL for the erection of 8 dwellings and the formation of vehicular access

### **Application 19/00500/VAC**

The Assistant Director for Planning and Delivery addressed the committee and provided a summary of the application, explaining the principal changes between it and the existing approval on the site and highlighting in particular:

- Changes to the layout of plot 1
- Changes to the site layout resulting in the loss of a length of hedge
- Changes to the height of plot 6
- The changes were not considered to be unduly detrimental and the application was still recommended for approval

Pursuant to Chapter 2, Part 9, Para 2.8-2.28 of the Council's Constitution in relation to public speaking at Planning Committee, the Chair allowed the following to give a

four minute presentation :

(1) Ken Bray, Chair of Stathern Parish Council

Following questions from Members, Mr Bray confirmed:

- The Parish Council wished to remain with the existing permission and not approve the changes proposed to the development
- The Parish Council felt the latest changes made to plot 1 in particular made it look taller, despite being the same height to ridge, to the detriment of the two neighbouring listed buildings

(2) Caroline Chave, Agent on behalf of Applicant

Following questions from Members, Ms Chave confirmed:

- There were windows on the third floor in the roof area as the purchaser wished to use that area as a bedroom
- The development had been designed to accommodate individual purchaser's requirements, similar to a self build, hence the request for the changes to the previous application
- The net change of bedrooms across the site was 3 additional bedrooms, there were some change to the size of rooms as well as utility spaces and playrooms above garages introduced

(3) Councillor Chris Evans, Ward Councillor

During discussion the following points were noted:

- There was concern regarding the introduction of skylights and that these might stand out in the night sky and were not appropriate in a conservation area
- As the development was at the edge of the village, it was felt that the buildings should be at a lower level
- The removal of a historic hedgerow was a concern but other Members felt this was more than compensated for by the new landscaping scheme which included new hedging
- The majority of Members felt that the changes were not so impactful that the application did not warrant approval
- There had been incremental design changes to make the homes larger, some Members felt this undermined the previous approval and the planning system but amendments were commonplace and the differences proposed were not adverse so as to warrant a refusal

Councillor Illingworth proposed the recommendations in the report. This was seconded by Councillor Douglas.

**RESOLVED**

That application 19/00500/VAC be **APPROVED** in accordance with the conditions set out in the report.

(8 in favour, 2 against)

REASONS

- The proposals seek to vary the design and layout of the approved scheme and following the receipt of revised plans the proposals are deemed to be visually acceptable and adequately safeguard the residential amenities of neighbouring properties.

PL160

**Application 19/00709/FUL**

<b>Reference:</b>	19/00709/FUL
<b>Applicant:</b>	-
<b>Location:</b>	Buildings adjacent to The Hall, Hose Lane, Long Clawson
<b>Proposal:</b>	Proposed residential redevelopment of former farm complex comprising the conversion of existing equestrian buildings to form 3 dwellings and the replacement of all non-traditional former agricultural buildings with 3 'self/custom build' homes (in lieu of the 5 new dwellings approved under LPA reference 18/00872/GDOCOU)

This item was withdrawn from the agenda.

PL161

**Planning Committee : Development Management Performance 2019 20 - Quarter 2**

The Assistant Director for Planning and Delivery submitted a report which advised the committee of current national performance indicator outcomes related to the determination of planning applications for Quarter 2 (July to September 2019). It also covered appeal results in the period concerned and section 106 agreements.

Members felt this was a good report with helpful statistics and looked forward to receiving updates on section 106 contributions each quarter.

**RESOLVED** that the report be noted.

PL162

**Urgent Business**

There was no urgent business.

The meeting closed at: 8.36 pm

Chair