

Minutes

Meeting name	Planning Committee
Date	Thursday, 1 August 2019
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor M. Glancy (Chair)

Councillors

P. Chandler	P. Cumbers
J. Douglas	P. Faulkner
L. Higgins	E. Holmes
J. Illingworth	M. Steadman
P. Wood	A. Pearson

Observers

Officers

- Solicitor To The Council (RP)
- Assistant Director for Strategic Planning and Regulatory Services
- Development Manager (LP)
- Administrative Assistant (JD)
- Lead Planning Officer

Minute No.	Minute
PL112	<p>Apologies for Absence Cllr Posnett sent her apologies and was substituted by Cllr Pearson.</p>
PL113	<p>Minutes Minutes of the meeting held on Thursday 25th July 2019 are to be signed at the next Planning Committee on Thursday 29th August 2019.</p>
PL114	<p>Declarations of Interest Cllr Pearson declared that as a County Cllr he had an interest in 18/00359/OUT, as the applicant is Leicestershire County Council. He did not intend to participate in the debate or decision and would therefore leave the meeting.</p> <p>Cllr Illingworth declared that for 18/00359/OUT he would be speaking in his role as Ward Cllr. He asked for clarification from the Solicitor to the Council about speaking, and was informed that he would not be able to take part in the vote.</p> <p>Cllr Steadman declared an interest in 19/00186/FUL and stated that she would leave the meeting for that application.</p> <p>Cllr Higgins declared an interest in 18/01471/FUL and intended to speak in his role as Ward Cllr. He stated that he would not be voting on the application.</p> <p>Cllr Holmes stated that she had no interest in 18/00359/OUT and 18/00769/OUT but had an interest in a nearby site, but was advised that her declaration was sufficient and could still take part in the vote.</p>
PL115	<p>Schedule of Applications</p>
PL116	<p>18/00359/OUT Cllr Pearson left the meeting at 18:05.</p> <p>Applicant: Leicestershire County Council Location: Sysonby Farm, Nottingham Road, Melton Mowbray Proposal: Outline planning application for demolition of all existing buildings and structures, and the erection of up to 290 Class C3 residential dwellings, local centre comprising of 200 m2 GEA for Class A1, A2, A3, A4 and A5 uses, up to 250 m2 GEA Class B1 business floor space, Class D1 primary school, open space and associated infrastructure, with all matters reserved except access.</p> <p>(a) The Lead Planning Officer (SL) stated that: The application seeks outline planning approval with access only for</p>

determination at this stage, for up to 290 dwellings, a local centre with A1 to A5 uses and a primary school. The site is allocated as part of the North Sustainable Neighbourhood in the adopted Local Plan. It is being reported to committee due to the strategic importance of the site.

Following the committee site visits and the publication of the Officers report, there are a number of updates.

One further objection has been received, raising further objections to those already made during the application process which have been responded to in the officer's report. This has been raised with some Members of the Council directly, and also on the planning portal. The objection relates to the previously refused applications on this site and the neighbouring site to the east, references 14/00518/OUT and 14/00519/OUT. These applications were unanimously refused by the Planning Committee in April 2015.

At the time, Councillor Botterill seconded the motion to refuse, stating that the bypass should be in place before proposals come in. Councillor Simpson stated that there was no local plan and no bypass and that these things are needed before this type of application is permitted. The Highways Officer at the time concluded that there was significant harm to transport in the town, and the harm outweighed the benefits of the development. Mr Palmer therefore considers that the proposals should not be considered until the bypass is in place and that consideration should be given to the previous reasons for refusal in April 2015.

Members will be aware that the Local Plan was adopted in October 2018. The north and east Melton Mowbray distributor road was granted planning permission in May this year and it is expected that construction will start mid to late next year. As this application is in outline, it is not expected that a significant number of dwellings could possibly be delivered before the distributor road is substantially or totally completed. The proposal is therefore considered acceptable in terms of the highways impact.

In addition, Cllr Wilkinson has this week lodged comments regarding both this application and the neighbouring site promoted by Richborough Estates which is next on tonight's agenda. Councillor Wilkinson is in favour of both applications, particularly in the light of Leicestershire County Council being awarded £4.4 million towards infrastructure costs for this application. He raises concerns that if the application is rejected the town could miss out on this investment.

However, given the ageing population and struggle to retain young families Councillor Wilkinson is keen to ensure that more housing is available to first time buyers. Melton's housing needs study outlined that the Council should have a target of 40% affordable homes given the demographic projections, stating that the target should be 45% with the introduction of starter homes. The applicant has not yet published its proposed affordable housing mix for this application. As the Ward Councillor, Councillor Wilkinson would like to see the amount of affordable homes raised to 17.5% from the 15% minimum within the policy. This would be 51 homes in total. He proposes that 57% of these, i.e. 29 dwellings would be for affordable rent, and 43%, i.e. 22 dwellings would be for affordable home ownership. Within this, he

would like to see a 50/50 split between Starter Homes and discounted market sales, which would be sold at a 20% discount from market value. Having recently bought his first home, he states that starter homes are substantially more appealing than shared ownership, and within this proposed mix there needs to be a mix of two and three bedroom homes. Cllr Wilkinson does not believe that one bedroom houses are needed through affordable ownership this early in the life of the Local Plan. The Council has already approved a significant number of affordable rented and shared ownership properties on the Leicester Road site, and Councillor Wilkinson believes that this solution would, increase the supply of homes available to first time buyers specifically, and boost the supply of affordable rent whilst maintaining developer viability.

The applicant has agreed to this approach in principle.

Members will recall on Monday's site visit a request being made relating to details of the changes to land levels. I can confirm that from the Ordnance Survey data available to us, the highest point on the site is approximately 20 metres higher than the lowest point on the site.

The application forms a substantial phase of the wider north sustainable neighbourhood, and provides a primary school, a small local centre, 15% affordable housing in accordance with the policy as presented, and developer contributions to make the proposal acceptable in planning terms. This application has interdependencies with the application promoted by Richborough Estates on the neighbouring land parcel. This site requires the extension to John Ferneley College to provide places for pupils that this proposal will generate. The Richborough Estates site also requires the primary school that is promoted by this application.

Members will be aware that the Council is undertaking detailed Master planning work for both the north and south sustainable neighbourhoods at present, which it is investing significant staff time and resource to.

As stated within the Officers Report this is a fundamental consideration in the determination of this application. Members are invited to debate the benefits of early delivery of this parcel of land and the infrastructure that it will provide, against the risks of granting permission in the absence of an agreed Masterplan.

At this time, Officers consider that it is acceptable to proceed as it is not considered to prejudice the delivery of the wider sustainable neighbourhood based on the information received to date.

Consequently, the application is recommended for approval, subject to conditions and a satisfactory S106 as detailed within the Officers report.

(b) Rob Garnham was invited to speak on behalf of the Applicant and stated that:

- This application is one of two distinct parts of the bold aspirations of the Melton Local Plan.
- The development will provide land and funding for the new distributor road.

- S106 contributions per dwelling have been agreed in advance.
- Will provide an array of houses for young families and the ageing population.
- Homes England grant must be spent by 2021.
- It is fortunate that the distributor road will be near to completion, as it is the wish from the public that infrastructure is in place before housing.
- The application is compliant with policy; there are no statutory objections, and very few neighbour concerns. These will be resolved at the reserved matters stage.
- Development will provide affordable housing and contributions to health provisions.
- This, along with the money from Homes England will help to ensure early delivery.

A Cllr made reference to Cllr Wilkinson's representation and asked Mr Garnham his views on affordable housing that is rent to buy.

Mr Garnham confirmed that Richborough homes would support this and the mix stated in Cllr Wilkinson's representation.

The Planning Officer stated that they would be happy to proceed with the mix an increased quantity.

A Cllr stated that Leicestershire County Council wanted us to be greener and question Mr Garnham whether he could ensure every house would be green.

Mr Garnham informed members that this and design could be noted for the reserved matters stage and that it would be a bold statement to make at this moment in time. It would also need to be defined what was meant by 'green'.

(c) Cllr Illingworth, the Ward Cllr, was invited to speak and stated that:

- He was involved in the Melton Local Plan Group and could not take the same stance that he once did prior to that involvement. It had been explained to residents with cause to refuse that times have changed.
- The two sites would be the largest expansion to Melton Mowbray for a number of years and we owe it to the future occupants of the Borough to get it right.
- Green credentials Carbon footprints have to be prominent in our minds. Modern standards, layout, materials, road widths, avoidance of tandem drives, spare parkin allocated, levels and overlooking.

- The affordables have to be gotten right in quantity and mixture. There was wholesome consultation at the pre app stage with Cllrs so the developers are under no illusion. The principle is fine and the timing can be managed.
- It's important that we give everyone a development to be proud of.
- As the following application in the schedule is linked. Take as read.

Cllr Illingworth left the meeting.

The Assistant Director for Strategic Planning and Regulatory Services responded to a Cllr's request for all houses to be green. He stated that Policy EN9 of the Melton Mowbray Local Plan addresses firm encouragement of energy efficiency, high standards etc. A climate emergency has been declared so it is assumed this would be welcomed.

A Cllr stated that all affordable housing should be easily managed and afforded.

A Cllr expressed their support urban extension but voiced concerns over the reduction in the amount of ground for the Primary School. They stated that families from the wider area would want their children to attend and therefore it would need more facilities.

A Cllr stated that the 17.5% affordable housing mix should be conditioned as a minimum. They explained that currently there are no rent to buy properties in the Borough and they allow people to stay in the communities. We are also deficient in starter homes. Discount market homes are also important for this. They agreed that green infrastructure was important and that would need to be tied down. They also stated that a second Medical Practice would be needed and conditions should be used to encourage this.

A Cllr queried the statement made previously regarding the land for the Primary School and asked what they would want to see.

A Cllr responded that they'd want to see it doubled.

A Cllr stressed the importance of ecology and how a condition should be put in place so as not to impact the site.

A Cllr supported the new Surgery suggestion. They also stated that they didn't think we should be saying no to one bedroom dwellings.

A Cllr made clarified that Cllr Wilkinson referred to 1 bedroom affordable home ownerships in his statement. 1 bedroom affordable rents would be agreeable.

A Cllr clarified that they weren't speaking about affordables and that there was a bit of demand.

A Cllr voiced their concerns about the land allocation for the Primary School expansion.

A Cllr stated the importance to the agent that we do not have houses that are considered to be weak.

A Cllr questioned whether it would be possible to have a review of the Primary School.

The Planning Officer explained that there had been lengthy discussions and Education are satisfied and that they are looking to plan for larger elsewhere.

The Assistant Director for Strategic Planning and Regulatory services explained there is no remit to require beyond boundaries. Both schools are sufficient to meet the needs of the development but they could always ask. He also stated that with regards to the new GP, there are sufficient funds for fresh facilities.

Cllr Holmes proposed to permit. She reiterated the importance of the houses having 'green credentials' from top to bottom. This would be essential due to the climate emergency. The development should also be built with affordables as discussed.

Cllr Glancy seconded the proposal, adding that she was pleased with the affordable homes mix. Despite it beating the Master Plan, it should nevertheless conform to the Local Plan. She stated that all hedges should be retained for character, and tree planting should be included to improve the street scene and relieving harshness. It's to be conditioned that homes are to have renewable energy sources and there should also be a limit to 2.5 storey buildings.

A Cllr queried whether the tandem parking would be addressed at the time of a full application.

The Assistant Director for Strategic Planning and Development Control explained that that would be detailed design and layout and there is no Policy on this subject in place as yet.

Cllr Glancy stated that it was important the design fitted Policy, and Ward Cllrs be involved before the reserved matter stage.

A Cllr supported the proposal and minimum 17.5% housing mix. They expressed their disappointment that the County Council had broken from the Master planning stage, and this puts pressure on other parts of the land which is unfortunate.

The Assistant Director for Strategic Planning and regulatory Services confirmed the conditions and other provisions; Cllr Wilkinson's housing mix suggestions, required design to include climate friendly features (a policy based on EN9) and reduced carbon emissions for all houses, all hedges to be retained, planting of hedges in street frontage, preventing 2.5 storeys at highest site levels.

A vote was taken. **All Cllrs present voted unanimously to permit.**

DETERMINATION: PERMIT, subject to:

(i) Completion of a s106 agreement as set out in the report to secure:

- NHS / CCG contribution;
- Education contribution;
- Libraries contribution;
- Civic amenities contribution;
- Libraries contribution;
- Open Spaces;
- Country Park – upgraded pathway
- Land for the provision of the MMDR

(ii) Affordable housing provision at a rate of 17.5% : 57% of these, for affordable rent, and 43% for affordable home ownership

(iii) Conditions as set out in the report

(iv) Additional conditions requiring:

- All hedges on site to be retained and buffered with a minimum of 5metres semi-natural vegetation from plot boundaries.
- A requirement for reserved matters applications to demonstrate compliance with Melton Local Plan Policy EN9
- Tree planting within street scene of the proposed development.
- A limit on heights of homes to 2.5 storey and prevent them from being positioned on the higher parts of the site.

REASONS: The application site is allocated for housing and associated development as part of the Melton Mowbray North Sustainable Neighbourhood (NSN), covering a large swathe of farmland to the north of the town between Nottingham Road in the North West and Melton Spinney Road in the north east. The proposal has been submitted for outline with access for approval. All other matters are reserved and are to be determined in a separate, future reserved matters application.

Issues regarding access, archaeology, ecology, and drainage have been satisfactorily addressed. Conditions recommended on this application will ensure that the development is delivered and will achieve the standards required to conform to the adopted policies.

As such, the proposal is considered to comply with the Local Plan policies referred to below and principles of the NPPF, subject to the satisfactory completion of a S106 agreement.

PL117

18/00769/OUT

Cllrs Pearson and Illingworth returned to the meeting at 18:57.

Applicant: Richborough Estates Ltd

Location: Land North John Ferneley College, Scalford Road, Melton Mowbray

Proposal: Outline planning application for residential development (Class C3), public open space, children's play facilities and associated infrastructure, with all matters reserved except access to the site.

(a) The Planning Officer (SL) stated that:

This application seeks outline planning approval with access only for determination at this stage, for up to 400 dwellings, and 1.22 hectares of land to allow for the expansion of John Ferneley College to allow up to a further 200 places. The site is allocated as part of the North Sustainable Neighbourhood in the adopted Local Plan. It is being reported to committee due to the strategic importance of the site.

Following the committee site visits and the publication of the Officers report, there are some updates to bring to Members attention.

Following additional consultation with the highway authority, an amended plan has been submitted for the site access to ensure that the applicant is conditioned to provide a footway / cycleway from their proposed access to where the existing footway terminates at John Ferneley College. This will ensure that occupiers of the development, should it be approved, will be able to walk or cycle safely to where the existing footpath starts. Therefore, Members are requested to allow officer's the delegated powers to change the reference number of the plans in the proposed condition 8 within the list of conditions.

In addition, Cllr Wilkinson has this week lodged comments regarding this application, and the Sysonby Farm proposal on the neighbouring site which has just been debated by Members.

Councillor Wilkinson is in favour of the application, however, given the ageing population and struggle to retain young families Cllr Wilkinson is keen to ensure that more housing is available to first time buyers. Melton's housing needs study outlined that the Council should have a target of 40% affordable homes given the demographic projections, stating that the target should be 45% with the introduction of starter homes.

As the Ward Councillor, Councillor Wilkinson would like to see the amount of affordable homes raised to 17.5% from the 15% minimum within the policy. This would be 70 homes in total. He proposes that 57% of these, i.e. 40 dwellings would be for affordable rent, and 43%, i.e. 30 dwellings would be for affordable home ownership. Within this, he would like to see a 50/50 split between Starter Homes and discounted market sales, which would be sold at a 20% discount from market value.

Having recently bought his first home, he states that starter homes are substantially more appealing than shared ownership. Within this there needs to be a mix of two and three bedroom homes. Councillor Wilkinson does not

believe that one bedroom houses are needed through affordable ownership this early in the life of the Local Plan. The Council has already approved a significant number of affordable rented and shared ownership properties on the Leicester Road site, and Councillor Wilkinson believes that this solution would increase the supply of homes available to first time buyers specifically, and boost the supply of affordable rent whilst maintaining developer viability.

The applicant has agreed to this approach in principle.

The application forms a substantial phase of the wider north sustainable neighbourhood. It provides the land for the extension of John Ferneley College and as presented provides 15% affordable housing in accordance with the policy, in addition to contributions to make the proposal acceptable in planning terms. Furthermore, the applicant is proposing to pass the land for the provision of the MMDR that is within their control to Leicestershire County Council to deliver the road without the requirement for compulsory purchase orders.

Members will note from that this application has interdependencies with the application promoted by the County Council on the neighbouring land parcel. This site requires the primary school on the County Council site to provide places for pupils that this proposal will generate, whilst the County Council's site requires the extensions to John Ferneley College that will be provided by this applicant.

Members will be aware that the Council is undertaking detailed Masterplanning work for both the north and south sustainable neighbourhoods at present, which it is investing significant staff time and resource to.

As stated within the Officers Report this is a fundamental consideration in the determination of this application. Members are invited to debate the benefits of early delivery of this parcel of land and the infrastructure that it will provide, against the risks of granting permission in the absence of an agreed Masterplan.

At this time, Officers consider that it is acceptable to proceed as it is not considered to prejudice the delivery of the wider sustainable neighbourhood based on the information received to date.

The application is recommended for approval, subject to conditions and a satisfactory S106 as detailed within the Officers report.

) Rob Garnham was invited to speak on behalf of the Applicant and stated that:

- He didn't believe anything that had been raised as a worry in the

previous application could not be addressed.

- The development is in complete conformity to the draft SPD masterplan for Melton North Sustainable Neighbourhood and Policy.
- The site is an allocated site and there are no objections.
- Contributions are in accordance with recommendations.
- Policy compliant affordable housing levels.
- Confident that this will be a boost to the delivery of the Local Plan objective.
- Will bring about certainty and will make contributions to the wider Sustainable Neighbourhood.

A Cllr questioned when housing would be delivered that could be lived in. Mr Garnham informed them that they could start delivering by the time it takes for the MMDR to be built.

Cllr Faulkner proposed to permit and stated that considering the previous application, he was happy to propose with the same conditions to be applied as 18/00359/OUT.

Cllr Steadman seconded this with the same conditions.

A Cllr expressed their wish for more consultations to be held with residents regarding infrastructure.

The Planning Officer explained that an assessment of the junction capacities had been carried out, all under different scenarios. It encourages use of the distributor road which is what it's for. The spine road would have a traffic calming effect.

A Cllr stated that this still needed to be looked at.

A Cllr queried whether a re-assessment could be conditioned.

The Planning Officer stated that when the scheme came forward, public consultations would happen.

A Cllr explained that speed bumps are not environmentally friendly as they cause more emissions. There are to be new policies coming into effect including vehicles and calming.

A vote was taken.

9 Members voted to permit the application. 2 Members abstained from the vote. Cllr Holmes wished to have her abstention recorded.

Decision: PERMIT, subject to:

(i) Completion of a s106 agreement as set out in the report to secure:

- NHS / CCG contribution;
 - Education contribution;
 - Libraries contribution;
 - Civic amenities contribution;
 - Libraries contribution;
 - Open Spaces;
 - Country Park – upgraded pathway
 - Land for the provision of the MMDR
- (ii) Affordable housing provision at a rate of 17.5% : 57% of these, for affordable rent, and 43% for affordable home ownership

(iii) Conditions as set out in the report

(iv) Additional conditions requiring:

- All hedges on site to be retained and buffered with a minimum of 5metres semi-natural vegetation from plot boundaries.
- A requirement for reserved matters applications to demonstrate compliance with Melton Local Plan Policy EN9
- Tree planting within street scene of the proposed development.
- A limit on heights of homes to 2.5 storey and prevent them from being positioned on the higher parts of the site.

REASONS: The application site is allocated for housing and associated development as part of the Melton Mowbray North Sustainable Neighbourhood (NSN), covering a large swathe of farmland to the north of the town between Nottingham Road in the North West and Melton Spinney Road in the north east. The proposal has been submitted for outline with access for approval. All other matters are reserved and are to be determined in a separate, future reserved matters application.

Issues regarding access, archaeology, ecology, and drainage have been satisfactorily addressed. Conditions recommended on this application will ensure that the development is delivered and will achieve the standards required to conform to the adopted policies.

As such, the proposal is considered to comply with the Local Plan policies referred to below and principles of the NPPF, subject to the satisfactory completion of a S106 agreement.

PL118

19/00186/FUL

Applicant: Mr Tom Fitzpatrick

Location: Framland Lodge, 57 Church Lane, Long Clawson, Melton Mowbray

Proposal: To rebuild and improve the old barn at Framland Lodge, to provide facilities for a small cookery school and chef's table.

19:17 – Cllr Steadman left the meeting.

(a) The Planning Officer (SL) stated that:

This application seeks full planning permission for the re-building of an existing block built barn to provide a 2 storey building to form a cookery school and chef's table. The site is within the residential curtilage of Framland Lodge, and within the Conservation Area for Long Clawson. The existing building forms the boundary with St Remigius Church, a Grade II* listed building.

The application is presented to committee for determination due to the number of representations received.

Since the site visits on Monday, the applicant has confirmed that he does not own the property, and it is owned by his mother. Consequently he has now completed the correct certificate to accompany the planning application which is available to view on the file.

In the last couple of days Members have been approached by various parties regarding increased car parking provision, further restrictions to the hours and days of operation, and the extraction for the kitchen. If Members consider that these issues are justified there is scope for further or altered conditions to those which are included within the Officers report at Appendix C. At this time officers do not consider that this will be necessary to mitigate the impact of the development. In regards to car parking, it is highly unlikely that those attending the cookery school or chef's table will attend on their own. These activities are sociable, and the six to eight car parking spaces are considered sufficient to meet demand, bearing in mind the condition ensures that no more than 8 attendees will be present at any time. In addition, the highway authority has no objection to occasional parking in the highway if required. The neighbourhood plan only sets specific parking standards for residential developments at policy T4. This application is not for residential development. In terms of the hours of opening and operation, this has been considered and the hours as set out in the application form are considered reasonable. These are 10am to 11pm Monday to Saturday, however it is considered unlikely that these hours would be used fully.

In regards to the extraction, the environmental health officer advises that the development is relatively modest, artisan in nature, serving high quality food with limited cooking facilities and relatively short operation times. The proposed set-up should offer good dilution and dispersion of odours, and it would be onerous to require the applicant to install significant extraction infrastructure at this stage. However, the officer has advised that in the interests of good planning, that the applicants in liaison with their kitchen engineers, design the kitchen in such a manner that will allow for easy retrofitting of noise and odour abatement equipment if it becomes necessary at a later date. This will prevent substantial future costs of re-design, but prevent significant outlay now which is unlikely to be required. As stated within the Officers report, the application is considered to be

supported by the relevant policies of the adopted Local Plan and the Clawson, Hose and Harby neighbourhood plan. It is considered that the proposal has been well designed in consultation with the Council's Conservation Officer, and causes no identified harm or loss of significance to heritage assets in the vicinity.

Furthermore, the proposal represents an opportunity for the applicants to contribute towards the 'rural capital of food' and the ambitions of the Council in this respect. Subject to the conditions as recommended by the Officer at appendix C, the proposal is recommended for approval.

(a) Cllr Adams, on behalf of Clawson, Hose and Harby Parish Council was invited to speak and stated that:

- The Parish Council submitted two objections, the second of which was an update. All of which referred to Policies H7, E2, E3, H7's T4 relating to parking. Many were covered by the Conservation Officer and Environmental Health Team, and assumed their recommendations would be conditions.
- Concerned over the LCC Highways response. They were unaware of the updated ownership.
- Referred to the Neighbourhood Plan, Policy T4 which requires adequate off road parking for residential dwellings. Believed the further 8 spaces for the development would have an adverse impact on parking and traffic issues experienced especially when activities held at the church.
- Explained how 3 spaces will be required, turning and exit as well as the additional 8 within the boundaries.
- Comments from MBC Conservation Officer and MBC Environmental Health team to be conditioned.

A Cllr referred to Policy T4, and commented that this is a commercial not residential.

Cllr Adams replied that 3 spaces are needed for the existing residential property.

A Cllr asked if Cllr Adams had any evidence of existing parking issues and had these been submitted.

Cllr Adams stated no, but it would be busy if the church was in use.

(b) Mr Connor, an objector, was invited to speak and stated that:

- Believed established planning considerations were overlooked because this

is a food based application.

- Level of usage is vague therefore issues have been played down.
- Policy E4, fails on satisfactory access and being appropriate for a business. Policy E2, fails on increase of increase of noise, pollution and traffic.
- No other businesses in the residential Conservation Area. The character and appearance of the residential Conservation Area needs preserving.
- Chimney would be 1ft away from a listed wall.
- Overwhelming level of objections.
- Proposed conditions of limited use are vague and unenforceable.
- Concerns over highway safety as vehicles will have to reverse.
- Business is likely to want to expand in the future.

A Cllr queried the statement made about food and asked Mr Connor to explain further.

Mr Connor stated that he believed more traditional issues had been superseded/ given less importance. Greater flexibility had been given to this application due to it being food based in the Rural Capital of Food. He believed heed had not been paid to the issues.

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

- Initial spec was broad and believes assumptions have been made.
- Extensive consultations have been carried out and the Design & Access Statement answers questions raised. The report shows the endorsement of the consultees.
- The proposed is to be high quality and low scale and is a positive thing that the Borough would like.
- Parking would be developed with LCC Highways.

A Cllr queried whether the two stables on the site would be retained and potentially used at a later date

Mr Fitzpatrick confirmed they are to be retained but they are not in the plans for this development.

A Cllr asked whether local food and drink would be used.

Mr Fitzpatrick stated that yes it would be, and they are working on projects with local suppliers.

The Lead Planning Officer explained that with regards to parking provision,

condition 6 could be altered and there would be the possibility to require additional spaces if members considered it necessary.

The Assistant Director for Strategic Planning and Regulatory Services explained that Environmental Health have deemed the conventional extraction design adequate.

A Cllr asked the Planning Officer what their view was regarding H7 of the Neighbourhood Plan. The policy cannot be interpreted differently as this is not residential. No evidence of parking issues has been submitted.

The Assistant Director for Strategic Planning and Regulatory Services explained H7 is housing design. The road is of some width and no obstruction would be caused by on street parking, as was the case during the Committee's visit on Monday.

A Cllr questioned whether tighter wording may be needed to ensure it could not be used as part of the dwelling if the business didn't work out.

The Planning Officer stated that this would need to be a Change of Use application and therefore a further condition would not be necessary.

Cllr Chandler proposed to permit the application. She couldn't see cars being a problem and reiterated that the chefs table is only for 8 people and it is likely people will travel together in cars. There are no yellow lines and if Highways felt it was a problem then they would've said. It promotes tourism within the Borough and is a great opportunity.

Cllr Holmes seconded the proposal, adding this could have been houses and it's a great this nearby.

A Cllr expressed their concerns that the Highways issues are unresolved. The proposed hours mean concerns are legitimate. Wished for this to be resolved before passing.

A Cllr stated that this will be an asset to the Borough. They mentioned the additional spaces that could be conditioned if needed.

A Cllr stated that they didn't feel they could refuse based upon parking. Weight couldn't be given to the policy as this is not residential.

A Cllr stated that if the access and parking was for a residential application then it would not be deemed acceptable. They also raised concerns over extraction. They asked where a larger chimney would go if needed, given the close proximity to the listed wall.

The Planning Officer explained the design shows a chimney capable of extraction. Environmental Health referred to internal extraction, it is high enough to disperse odours.

The Chair expressed her concerns over parking and asked whether the proposer and seconder would like to include the enhanced condition mentioned previously.

Cllr Chandler stated that she had no objection and was happy to include but believed it was over exaggerated.

A Cllr stated that with the inclusion, they would abstain from the vote. The Chair asked if the proposed wished to stay with the original.

Cllr Chandler replied yes.

A vote was taken.

9 Members voted to permit. 1 Member voted to refuse. 1 Member abstained from the vote.

Decision: PERMIT, subject to conditions as set out in the officer's report. REASONS: The principle of the application is considered to be supported by policies EC4 and EC8 of the Melton Local Plan, and policy E2 of the Clawson, Hose and Harby Neighbourhood Plan. The proposal is located in a village considered to be sustainable. This proposal would add variety to the offer for local residents and those living further afield.

The proposal has been well designed, demonstrating that it conserves and enhances the Conservation Area, and causes no identified harm or loss to the significance of other heritage assets in the vicinity. The proposal represents an opportunity for the applicants to contribute to the economy of the village and the wider Borough, relating well to the 'Rural Capital of Food' and the ambitions of the Council in this respect.

19:58 – Meeting adjourned

20:03 – Meeting reconvened

PL119

18/01471/FUL

Applicant: Mr & Mrs Thomas Allen

Location: Top View, 3 Main Street, 3 Main Street, Burrough on the Hill

Proposal: Proposed part demolition and creation of three detached dwellings.

(a) The Assistant Director for Strategic Planning and Regulatory Services (JW) stated that:

- With regards to the application itself, there is nothing new to report.
- Wished to explain the plans to Members again and clarify questions arising at the site inspection regarding building proximity and height.
- The application does not meet the terms of SS3 and recommended for

refusal.

(b) Cllr Fynn, on behalf of Somerby Parish Council, was invited to speak and stated that:

- There is a proven need for smaller low cost units, something that this won't provide. If units are sold at a later date, they will be way above what is affordable.
- The part of the village is single storey dwellings. There have been letters of objections opposing the 2 storeys. This will be intrusive in a Conservation Area.
- There is a minimal bus service and access will require a vehicle.
- Concerned about the view to and from Burrough on the Hill. The heritage should be valued.

(c) Mr Molyneux, an objector, was invited to speak and stated that:

- The application does not meet the proven local need and does not comply with the Neighbourhood Plan.
- The Conservation Area is a small hamlet with limited infrastructure. It is an unsustainable village.
- The privacy of the adjacent bungalows at Top View would be affected and the site would become overdeveloped for a rural Conservation Area environment.
- The two plots sitting on the ridge would have an impact on the landscape with the addition of the extra floor. Recent development demonstrated this.
- Concerned about access being a single width drive from a B road on a sharp right angled bend.

(d) Mr Allen, the Applicant, was invited to speak and stated that:

- He intends to downsize to look after family.
- 1 unit would be sold to make the project viable. Large plot can facilitate this.

- Only issues are sustainability. Since application there as been a Draft Neighbourhood Plan sent out for consultation.
- Policy HR4 of the Draft Neighbourhood Plan singles out the need for 2 bedroom dwellings suitable for elderly/disabled people. The site is supporting this increased need.
- Submitted letters of intent.
- Promotes sustainability, as the village is not growing/thriving due to lack of development and support.

(e) Cllr Higgins, the Ward Cllr, was invited to speak and stated that:

- Wished to represent both the objectors and the applicant. Both have put forward a case for judgement.
- Smaller houses are needed within the ward.
- 17 objections largely from the Village.
- Doesn't agree with the extra bungalow as it will affect the neighbour. There is no need for the 3rd bungalow but understands the personal circumstances.

20:25 – Cllr Higgins left the discussion.

The Assistant Director for Strategic Planning and Regulatory Services gave merit to the application; however it wasn't all the way there. He stated that the market need was lacking. He didn't disagree with the surveys etc. but explained Somerby had been allocated the best part of 100 houses. These could fulfil the need so it is unclear where the remaining gap comes from.

Cllr Holmes proposed to refuse in line with the Officer recommendation. She added that it would require people with cars.

Cllr Chandler seconded stating that there is a proven need but this was out of the needs of most people.

A vote was taken.

Members voted unanimously to refuse the application.

Decision: REFUSE, in accordance with the recommendation.

REASONS: The development occupies an unsustainable location where there are limited local amenities, facilities and jobs, and where future residents are likely to depend highly on the use of a private motor vehicle. The proposal does not meet an identified proven local need and would be contrary to

Policy SS3 of the Melton Local Plan which seeks to restrict development in such settlements to that which is based on a local proven need.

PL120

18/01434/FUL

Applicant: Mr Cassa Miller

Location: Penlan, 21 Baggrave End, Barsby

Proposal: Demolition of existing dwelling, erection of a replacement dwelling, demolition of outbuildings/farm buildings and erection of three dwellings, alterations to access, provision of parking and associated works.

(a) The Development Manager was invited to speak and stated that:

The application seeks full planning permission for the demolition of the existing dwelling house known as Penlan and its replacement with a new 3 bed house (plot 4), the demolition of existing outbuildings/farm buildings to the rear, and the erection of three further houses (two further 3 bed's and one 4 bed) on land to the rear which are proposed in a linear form behind the frontage dwelling at Plot 4 on rising land currently occupied by a range of derelict farmyard buildings that are to be demolished.

The proposal is located within Barsby which is identified as a Rural Settlement in the Local Plan and therefore should be assessed in accordance with Policy SS3. During the life of the application, the applicant has submitted additional information which they feel demonstrates the need as set out within Policy SS3, this information is all within the committee report but makes reference to a Housing Needs Survey in the Parish conducted in February 2017 this was part of a group of surveys which also covered Gaddesby and Ashby Folville. Additional information has been submitted setting out the respondents who have identified a need for housing in Barsby and the agent has stated that the survey work has demonstrated that there is a proven local need for more than 3 x 3 or 4 bedroom houses in Barsby. The test to comply with Policy SS3 is set high to reflect the limited number of dwellings that are to be provided under this policy and to ensure new dwellings in such villages are approved only when they meet a proven, local need. As such a convincing case to justify the proposal has not been made in order to comply with the strict criteria of Policy SS3 as the survey returns referred to, are not specific to the localised area and refer to the Parish, which includes Gaddesby where there may be several sites available to meet housing need and significant housing allocation approximately 34 have been provided, and the requests for new housing in Barsby are more reflecting of a personal desire to live in this village which could be termed as market demand rather than proven need and therefore refusal is recommended due to the proposal not meeting an identified proven local need and being contrary to Policy SS3 of the Melton Local Plan.

Concern is also raised with regard to the form and scale of the proposal which is considered to be over intensive and would be typically urban in nature and out of character with the rural village location. Therefore the proposal is also recommended for refusal due to the conflict with Policy D1 of the Melton Local Plan.

(b) Mr Pavlovic, was invited to speak on behalf of the Applicant and stated that:

- Application was previously refused based upon its unsuitable location and failure to identify need.
- Housing assessment carried out by the Applicant, feedback was listed from respondents.
- SS3 supported by survey and MBC Housing Officer.
- The proposed would be a high quality replacement, as the existing building has vermin issues.
- Proposal is D1 reflective, not harmful and will comply with policies.

A Cllr asked whether the Applicant would consider a condition to include local connections rather than open market.

Mr Pavlovic replied yes.

A Cllr queried a piece of land being given to a neighbour.

Mr Pavlovic stated that he was unaware of this, therefore unable to answer.

The Assistant Director for Strategic Planning and Regulatory Services demonstrated on the map the piece of land in question he thought it may be but again, could not be certain.

A Cllr expressed concerns over the road, as it is narrow and on an incline. They stated it would be dangerous in bad weather conditions and also expressed concerns of over intensification.

Cllr Higgins proposed to refuse. He stated that he could sympathise with the Applicant but the proposed would not satisfy SS3 and would be too dense. However, the possibility of local connections was encouraging.

Cllr Chandler seconded the proposal. She stated that the survey left a lot to be desired and praised LCC Highways. The impact of the development would be severe and it would be over intensification.

A Cllr agreed that D1 needed sticking to and supported the proposal to refuse.

A Cllr stated that it would have an impact on the Conservation Area and also supported the refusal.

Cllr Higgins clarified that he wished to agree with Officer Recommendation.

A vote was taken.

Members voted unanimously to refuse.

Decision: REFUSE in accordance with the recommendation

REASONS:

1. Other than the replacement dwelling proposed, the proposal would result in the erection of three market dwellings, without a convincing case to demonstrate a proven local need for the proposal. The development is in a location where there are limited local amenities, facilities and jobs, and where future residents are likely to depend highly on the use of a private motor vehicle. The proposal is therefore contrary to Policy SS3 of the Melton Local Plan which states that in Rural Settlements, such as Barsby, new housing development has to meet a proven local need as identified by substantive evidence. In the opinion of the Local Planning Authority, the proposal is not supported or justified by the required substantive evidence that would demonstrate compliance with Policy SS3, and would justify the granting of planning permission in this case.

2. In the opinion of the Local Planning Authority, the scheme, by reason of its form, scale, design and layout, would give rise to an over intensive, cramped development that is urban in nature and out of character with this village location, and not sympathetic to the site surroundings. The proposal, by reason of the siting, design and massing of the proposed dwellings, with their restricted amenity areas, would result in an obtrusive development that would be over bearing, and detrimental to the outlook, privacy and amenity of neighbours and neighbouring properties. For these reasons, the proposal is considered to conflict with Policy D1 of the Melton Local Plan, which requires all new development to be sympathetic to the character of the area, and that the amenity of neighbours and neighbouring properties should not be compromised.

PL121

19/00516/FULHH

Cllr Higgins declared an interest in the following application and therefore would not be taking part.

Applicant: Mr Graham Bradley

Location: 26 Greaves Avenue, Melton Mowbray

Proposal: Proposed rear extension to dwelling

(a) The Development Manager was invited to speak and stated that:

The proposal is a householder application for the erection of a single storey rear extension to dwelling, the proposal is before you as the applicant is Melton Borough Council.

The proposal would provide 2 double bedrooms and a bathroom to the ground floor, to provide adaption for a carer internally.

The development is considered to be subservient to the host dwelling and sympathetic to the character of the area, having no detrimental impact on either the street scene or the amenity of neighbouring occupants, and therefore recommended for approval subject to conditions.

Cllr Faulkner stated that as the Ward Cllr, he had not been asked to make any

points, and was happy to propose to permit.

Cllr Steadman seconded the proposal.

A Cllr queried what it meant if money was spent on the property in terms of the house being bought.

A Cllr stated they had sought clarification but this would not impact the decision.

A Cllr queried funding.

The Assistant Director for Strategic Planning and Regulatory Services stated that this was not applicable in this case.

A vote was taken.

10 Members voted to permit. Cllr Higgins abstained from the vote.

**Decision: PERMIT, subject to conditions as set out in the report
REASON: By reason of siting and design and mass, would result in a development that would appear subservient to the host dwelling and be sympathetic to the character of the area, thus having no detrimental impact on the visual amenity of the site and the street scene. Proposed materials would ensure the development respects the existing dwelling and wider character of the area. The proposed development would therefore accord to Policy D1 of the Melton Local Plan and the overall aims of the National Planning Policy Framework 2019.**

PL122	Urgent Business None
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The meeting closed at: 8.53 pm

Chair