

Minutes

Meeting name	Planning Committee
Date	Thursday, 1 April 2021
Start time	6.00 pm
Venue	By remote video conference

Present:

Chair Councillor M. Glancy (Chair)

Councillors P. Posnett MBE (Vice-Chair) R. Bindloss
R. Browne P. Chandler
P. Faulkner A. Hewson
L. Higgins E. Holmes
M. Steadman P. Wood

Observers Councillor J. Douglas

Officers Assistant Director for Planning and Delivery
Planning Development Manager
Local Plans Manager
Solicitor
Democratic Services Manager
Democratic Services Officer (SE)

Minute No.	Minute						
PL95	<p>Apologies for Absence There were no apologies for absence.</p>						
PL96	<p>Minutes The minutes of the meeting held on 4 March 2021 were confirmed and authorised to be signed by the Chair.</p>						
PL97	<p>Declarations of Interest Councillor Posnett held a standing personal interest in any matters relating to the Leicestershire County Council due to her role as a County Councillor.</p> <p><u>Minute 102 – Deed of Variation - Waltham</u> Councillor Browne declared a personal and pecuniary interest in this item as he worked for a housing association which had a working relationship with Platform HG being the applicant and housing association for this application. He advised that he would leave the meeting for this item.</p> <p><u>Minute 102 – Deed of Variation - Waltham</u> Councillor Higgins made a point of clarification that as the Portfolio Holder for Growth and Prosperity (and Deputy Leader) he had not met with the developer or applicant on this application nor directed officers in any matters connected with the application.</p> <p>Councillor Holmes thanked Councillor Higgins for this clarification.</p>						
PL98	<p>Schedule of Applications</p>						
PL99	<p>Application 20/00811/REM This application was withdrawn from the agenda.</p>						
PL100	<p>Application 20/00651/FUL</p> <table border="1" data-bbox="288 1563 1430 1693"> <tr> <td>Reference:</td> <td>20/00651/FUL</td> </tr> <tr> <td>Location:</td> <td>2 Vaughan Avenue Bottesford NG13 0EF</td> </tr> <tr> <td>Proposal:</td> <td>Proposed 3 bedroom bungalow with integral garage</td> </tr> </table> <p>The Planning Development Manager addressed the Committee and provided a summary of the application and that the recommendation was for approval.</p> <p>Mrs Parker pointed out that there had been a drafting error on the original report which showed the property images as being wrongly positioned and incorrectly labelled. This had been resolved and Members had received the correct version which was also available on the Council's website.</p>	Reference:	20/00651/FUL	Location:	2 Vaughan Avenue Bottesford NG13 0EF	Proposal:	Proposed 3 bedroom bungalow with integral garage
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The Planning Development Manager responded to questions as follows:

- The width distance between the garage and no. 2 Vaughan Avenue was 0.45m which would not be wide enough to accommodate disabled aids such as a wheelchair
- Images showing the previous refused application next to this application would be available during debate so that proposed and previous developments could be compared

Pursuant to Chapter 2, Part 9, Paragraphs 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 3 minute presentation:

- Councillor Bob Bayman, Bottesford Parish Council
Councillor Bayman responded to Member questions as follows:
The Parish Council agreed that the size of the garage and driveway was too small to accommodate two vehicles and there was no safe car parking provision on the roadside between the property and the end of the road
- Richard Colchester
- Malcolm Bunn, Agent, Hana & Co
Mr Bunn responded to a Member question that the trees and shrubs recommended at the side of the driveway would be of the type to grow to the height of the sill of the car window in line with planning regulations to ensure good visibility

In response to Member questions, the Planning Development Manager responded:

- The garage size had been increased to 6 x 3m internal dimensions which was in line with Leicestershire County Council's regulations and the requirement of two off road car parking spaces had been met.
- With regard to loss of trees, this was partly due to visibility and condition 4 allowed for further details on landscaping to be supplied
- The previous application was referred to in the report but the application before them was the one for consideration at the meeting
- It was noted that poor design and overspill parking which cluttered the street scene could be used as a reason for refusal under Local Plan policy D1.

During discussion the following points were noted:

- Due to restricted visibility, there was concern for safety when reversing out of the driveway
- The property was felt to be too densely populated on the site and in conflict with policy D1 for refusal
- Lack of amenity space for the neighbouring property was raised
- The development was felt to be poorly designed and not able to accommodate a wheelchair or access for a wheelie bin to the side of the property
- Members felt the development was garden grabbing and constituted over development of the site
- The design of the property was felt to be better than the previous application

and should the applicant wish to continue to develop the site, it was suggested they discuss options with the Parish Council to reach a compromise on the contentious areas of the application

Councillor Browne proposed that the application be refused due to being in conflict with policy D1 of the Local Plan by virtue of its scale and design, would represent an over development of the site, would be out of keeping and the parking provision being insufficient. Councillor Steadman seconded the motion.

RESOLVED

That application 20/00651/FUL be REFUSED, contrary to the Officer recommendation set out in the report, due to being in conflict with policy D1 of the Local Plan by virtue of its scale and design, would represent an over development of the site, would be out of keeping and the parking provision being insufficient.

(Unanimous)

PL101

Application 19/01099/REM

Reference:	19/01099/REM
Location:	Kirby Lane, Melton Mowbray
Proposal:	Reserved Matters Application for 199 units (Phase 1 of the wider approved development) including details of appearance, landscaping, layout, and scale of development (Amended Plans).

The Local Plans Manager addressed the Committee and provided a summary of the application and that the recommendation was for approval. It was noted that the road adjacent to the western green was blocked paved which provided a softer, less urbanised feel than a tarmac finish.

(Councillor Douglas was present as an observer.)

Pursuant to Chapter 2, Part 9, Paragraphs 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 3 minute presentation:

- Robert Galij of Barratt David Wilson Homes
In response to Member questions, Mr Galij responded
 - It was a highly desirable development and living environment which was fit for purpose, and would co-exist within the wider area and holistically connect to other parts of the entire development
 - If the application was approved, they would acquire the site and commence construction as soon practically possible. Build rates were market driven and there were no indications for a negative effect or on the public's desire for owner occupation on this site
 - During the pandemic, the company had continued activities whilst strictly adhering to covid regulations and they were now back up to full speed

and would seek to utilise and employ locally if possible

In response to Member questions, the Local Plans Manager responded :

- On reducing the speed limit on the development to 20mph, the limit was set by the Highway Authority at 30mph
- The number of homes on the site was determined at the outline stage
- A management company would be responsible for the maintenance of the green and open spaces

During discussion the following points were noted:

- Members were satisfied with the development and felt that the discussions between the developer, Ward Councillors and the Lead Planning Officer (Sarah Legge) had resulted in positive compromises and a much improved development and those who had taken part in the negotiations were to be commended for their commitment and approach
- Members appreciated the improved parking arrangements, the increase in green space, linkage to Kirby Fields and the softer look and flow of the development
- The development would support employment and boost the town centre and the Borough's economy not only during construction but when people moved in and it was felt to be a desirable place for people to make their home

Councillor Wood proposed that the application be approved. Councillor Higgins seconded the motion.

RESOLVED

That application 19/01099/REM be APPROVED subject to conditions.

(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 considered and approved at the outline stage.

The proposal as revised would result in a form of development that would be acceptable 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.

PL102

Deed of Variation, Waltham on the Wolds

Reference:	14/00777/OUT
Location:	Land behind 38- 48 High Street Waltham on the Wolds
Proposal:	Request to vary Section 106 Agreement in relation to Planning Permission 14/00777/OUT

(Councillor Browne here left the meeting due to his personal and pecuniary interest declared at Minute PL97.)

The Assistant Director of Planning and Delivery addressed the Committee and provided a summary of the report which focussed on the requests from Platform HG to vary the existing s106 relating to the site in order to remove a limit of 6 affordable homes, adjust the terms of the provisions of the shared ownership dwellings to allow wider occupation and adjust the mortgagee provisions within the agreement.

Pursuant to Chapter 2, Part 9, Paragraphs 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 3 minute presentation:

- Councillor Geoff Hulland of Waltham on the Wolds Parish Council
- Val White
- Judith Wise of Platform HG, Applicant
 - In response to Member questions, Mrs Wise confirmed that
 - she had not previously met with or discussed the scheme with Councillor Higgins
 - the company had not been aware of the specific affordable housing limit before purchasing the site and considered it rare that a maximum number be applied to such a scheme

The Assistant Director for Planning and Delivery explained that a S106 agreement could be amended in exceptional circumstances.

During discussion the following points were noted:

- Should there be any change to the original approval, it was noted that this would not affect the monetary contributions of the S106 agreement
- The Council was committed to affordable housing generally including in rural areas but the tenures offered were limited and did not meet the nature of demand in the area at present
- It was noted that Platform HG only offered affordable rented properties or shared ownership and some people wanted to own their own homes eventually through rent to buy or low cost housing and this site needed to consider other options for Members to consider changing the terms
- It was important that the right type of affordable housing was available in the right locations
- It was considered that affordable housing should be spread across the Borough particularly in the rural areas as it was the mixture of housing types that helped to make a richer community

- A large affordable housing development could stigmatise an area
- The recommendations were not subject to local plan policies as this was not a planning application
- An issue was raised with affordable rented properties as villages had no control over how these were allocated and recent cases had shown that they could be rented to tenants who lived far away from the area even though such properties were needed for local people
- It was felt that a local connection test could be applied in allocating affordable housing

Councillor Steadman proposed the recommendations in the report and Councillor Chandler seconded the motion.

RESOLVED

That:

(1) the request for a Deed of Variation be declined and

(2) the applicants be invited into further discussion with a view to achieving a mutually acceptable solution.

(Unanimous)

REASONS

The proposed tenure mix would result in delivery of affordable housing of a type for which there is limited local need or demand, and which has recently/currently being met by other developments in Waltham.

The 'local connection' criteria is considered to be an important component for the delivery of affordable housing and as such is enshrined within Development Plan policy and the adopted 'Affordable Housing and Housing Mix SPD' (July 2019). With the exception of the benefit of increasing the supply of affordable housing overall, it is considered that there are insufficient benefits to justify a departure from these policies.

PL103	<p>Urgent Business There was no urgent business.</p>
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The meeting closed at: 8.02 pm

Chair