

# Minutes

<b>Meeting name</b>	<b>Planning Committee</b>
<b>Date</b>	<b>Thursday, 10 November 2022</b>
<b>Start time</b>	<b>6.00 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH</b>

## Present:

**Chair** Councillor P. Posnett MBE (Chair)

**Councillors**

R. Browne	P. Chandler
C. Evans	C. Fisher
E. Holmes	J. Illingworth
D. Pritchett	R. Smith
P. Wood	

**Officers**

Planning Development Manager  
Solicitor (TP)  
Democratic Services Officer (HA)  
Democratic Services Officer (SE)

Minute No.	Minute						
PL47	<p><b>Apologies for Absence</b> An apology for absence was received from Councillor Webster.</p>						
PL48	<p><b>Minutes</b></p> <p>(a) The minutes of the meeting held on 29 September 2022 were confirmed as a true record.</p> <p>(b) The minutes of the meeting held on 13 October 2022 were confirmed as a true record.</p>						
PL49	<p><b>Declarations of Interest</b> 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><b>Application 20/00438/REM – Former Poultry Farm, Sandy Lane, Melton Mowbray</b> Councillor Illingworth declared a personal and non-pecuniary interest in this application due to the potential for perceived bias and advised that he would leave the meeting for the item.</p> <p><b>Application 15/00017/OUT - Land west of Marquis Road and North of Station Road, Old Dalby – Variation of Planning Obligation within Section 106 Agreement</b> Councillor Browne declared a personal interest in this application due to his role as Portfolio Holder for Council Homes and Landlord Services and associated involvement in discussions which had led to the recommendations.</p>						
PL50	<p><b>Schedule of Applications</b></p>						
PL51	<p><b>Application 20/00438/REM</b></p> <table border="1" data-bbox="288 1518 1441 1731"> <tr> <td><b>Application:</b></td> <td>20/00438/REM</td> </tr> <tr> <td><b>Location:</b></td> <td>Former Poultry Farm, Sandy Lane, Melton Mowbray</td> </tr> <tr> <td><b>Proposal:</b></td> <td>Reserved matters of layout, scale, appearance and landscaping of 30 dwellings in association with the outline approval 15/00537/OUT approved on 19 April 2017</td> </tr> </table> <p>(Councillor Illingworth here left the meeting due to his interest declared at minute PL49.)</p> <p>The Planning Development Manager addressed the Committee and provided a summary of the application and advised the application was recommended for approval subject to conditions set out at Appendix D.</p>	<b>Application:</b>	20/00438/REM	<b>Location:</b>	Former Poultry Farm, Sandy Lane, Melton Mowbray	<b>Proposal:</b>	Reserved matters of layout, scale, appearance and landscaping of 30 dwellings in association with the outline approval 15/00537/OUT approved on 19 April 2017
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Members raised concerns and the Planning Officer responded as follows:

- The Nissen hut was no longer on site and the Solicitor advised that the outline application included its refurbishment as part of the Section 106 agreement
- Redevelopment of the Nissen hut was not the part of the application for consideration at that meeting
- The Solicitor advised there was no enforcement applicable as there was no breach of the Section 106 Agreement in respect of the Nissen hut
- The determination of the scheme for the Nissen hut commemoration was a separate matter but any Member could request a call in of that application (once made) in accordance with the Constitution
- Highways access had been approved at outline by the County Council and no objections had been raised however further details would be provided and the County Council would be consulted again at the next stage
- The location had been allocated for the Nissen hut commemoration with non-vehicular access to allow visitor connection on foot and with parking and detailed layout plans were still to come forward
- There was a landscape management plan and conditions for animal protection
- There was concern as to whether there had been an archaeological survey before the demolition of the Nissen hut
- Appearance of the houses was part of the application and officers considered they were in accordance with the SPD and the Local Plan but Members could have an input to their design
- With regard to condition 9, Members could call this in to come back to the Committee and there would be an undertaking to consult

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:

Lee Harris, Agent, Hayward Architects

Following the speaker's presentation the following points were noted:

- Ecologists had reviewed the site and newts would be relocated to an alternative site and the pond would be maintained however the agent could not move forward on such matters until the application had been approved
- Badgers were to be protected on the outside of the site and relocation would take place if needed for reptiles
- The agent reassured the Committee that no animals would come to any harm as a result of the development and all measures were in place on ecological matters
- On Highways he had listened to the comments at the meeting and the agent was prepared to liaise with the County Council to provide more passing places on Sandy Lane on County Council land
- An archaeological survey had been carried out and there were no findings of interest on the site

- With regard to the ancient monument there was a buffer between that and the site and soil would not be disturbed in that area
- They had consulted with the neighbourhood on the Nissen hut and it would be an important feature of the site
- The ecological licence was with Natural England and there was a mitigation plan. They had committed £24k for the licence but couldn't take matters further until the application was approved
- The ecological survey was carried out after the demolition of the Nissen hut
- The Nissen hut was demolished due to anti-social behaviour which meant the developer could not be responsible for the safety of people entering or using the hut
- They were checking on the viability of the community centre in place of the Nissen hut as it was intended to pass to the responsibility of local residents. The general feeling was that the Parish Council nor any other body so far was prepared to take on this responsibility. Therefore there were suggestions for a different type of interpretation demonstrating links to the Leper Hospital, the RAF base and Polish community in the form of a website history of the site and they were liaising with the curator of the Melton Museum on how this could be developed. They had consulted on this with the Parish Council, Ward Members and the community
- 2 car parking spaces had been allocated for any commemoration on the site due to the moderate interest shown
- The developer had all the records, photographs and historical material relating to the site
- They would comply with the existing Section 106 until this was changed

Councillor Robert Child, Ward Councillor

Following the speaker's presentation the following points were noted:

- The Parish Council expected a heritage centre in accordance with the Section 106 agreement however the Parish Council could not fund or service it
- The Parish Council had not been aware of the demolition
- A Member considered it was preferable for the demolition due to the asbestos and anti-social behaviour
- Should the Council insist on a commemorative building and the Parish nor the Borough Council were prepared to fund it, the developer would have to put forward an arrangement under the terms of the Section 106

During debate the following points were noted:

- There was concern that the proposal was different to that shown in the report with the Nissen hut demolished, no reference to the archaeological survey nor any detail relating to the newts
- The Planning Development Manager explained that those matters were secured by condition and were separate to this application. The appearance, landscaping etc were the matters for consideration at that meeting

- Some Members were concerned at the loss of the Nissen hut and its replacement
- The Solicitor advised that the only detail that was applicable at that meeting was to note its location
- It was felt that it would have been more efficient for the two applications to be considered as one
- There was a preference for a more rural housing design and it was felt that the existing design was too urban for the location
- There were concerns on the ecology and the housing mix
- It was noted that the developer had been involved with lots of consultees on landscaping, ecology and the commemorative arrangement and had listened to those agents to get the best from the site
- There was a suggestion for deferral based on policy C2 to address the housing mix due to there being so many 5 bed homes and a more inclusive mix was preferable
- It was noted that officers had considered the remote and different nature of the site allowed for a development that was not in line with the optimum mix for the Borough but that with the constraints of the site the mix was acceptable
- There had been meetings with the Ward Member, Parish Council, Chair and Vice Chair of the Committee and the housing mix had not been raised as an issue and to amend the mix would mean there would be more houses on site and this would change those planning discussions
- It was noted that the affordable housing allocation had been determined at the outline stage
- Due to the remote location, it was not felt to be a site that was suitable for affordable housing and those on low incomes
- Should there be more smaller units such as 2 bed homes, there would be less open space
- There was a further proposal for a deferral based on reconsideration of the housing mix under policy C2 as well as further consideration on the appearance of the homes to be more in-keeping with the rural setting

Councillor Browne proposed that the application be deferred. Councillor Smith seconded the motion.

## **RESOLVED**

**That the application be DEFERRED for the reasons given below.**

(8 for, 0 against)

## **REASONS FOR DEFERRAL**

- Review the housing mix - 5 beds to be reduced and the viability for more 3 and 4 bed homes to be considered
- Review design and the look and appearance of the homes to be more in-keeping with the rural location

(There was a short adjournment at 7.35 pm until 7.44 pm.)

(Councillor Illingworth here re-joined the Committee.)

PL52 **Application 15/00017/OUT**

<b>Application:</b>	15/00017/OUT
<b>Location:</b>	Land West of Marquis Road and North of Station Road, Old Dalby
<b>Proposal:</b>	Variation of Planning Obligation within previous Section 106 Agreement associated with 15/00017/OUT

(Councillor Browne here left the meeting due to his interest declared at minute PL49.)

The Planning Development Manager addressed the Committee and provided a summary of the application and advised that it was recommended that the request for the Deed of Variation be agreed.

It was asked whether the Council had the funds to purchase and the Solicitor advised that this was not a relevant planning consideration.

There were no public speakers.

Councillor Chandler proposed that the application be approved. Councillor Illingworth seconded the motion.

**RESOLVED**

**That the request for a Deed of Variation be agreed.**

(Unanimous)

**REASONS**

The proposed tenure mix would result in delivery of affordable housing of a type for which there is local need (as set out at paragraph 4.1.3 of the report).

It has been adequately demonstrated that the configuration in the original s106 has not been of interest to providers.

PL53 **Urgent Business**  
There was no urgent business.

The meeting closed at: 7.50 pm