

Minutes

Meeting name	Planning Committee
Date	Thursday, 6 July 2017
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor J. Illingworth (Chair)

Councillors P. Baguley G. Botterill
P. Chandler P. Cumbers
P. Faulkner M. Glancy
T. Greenow E. Holmes
J. Wyatt

Observers

Officers Solicitor to the Council (VW)
Head of Strategic Planning and Regulatory Services
Administrative Assistant (AS)

Minute No.	Minute
PL16	<p>Apologies for Absence Cllr Posnett</p>
PL17	<p>Minutes Minutes of the meeting 15 June 2017</p> <p>Approval of the Minutes was proposed by Cllr Holmes subject to an amendment to page 36 of the previous minutes to refer to Green Gage Farm not Greengates Farm.</p> <p>Cllr Baguley seconded the approval.</p> <p>The Committee voted in agreement. It was unanimously agreed by all Members in attendance, at the meeting on 15 June 2017, that the Chair sign them as a true record.</p>
PL18	<p>Declarations of Interest Cllr Hutchinson was in the audience and declared an interest in applications 17/00327/FULHH & 17/00328/LBC as he is the applicant.</p>
PL19	<p>Schedule of Applications</p>
PL19.1	<p>16/00318/OUT Applicant: Croft Developments Limited Location: Land around Sherbrook House and Millway Foods, Colston Lane, Harby Proposal: Outline application for the erection of 50 dwellings with associated access, landscaping and infrastructure.</p> <p>a) The Head of Regulatory Services stated that: Deferred to allow the education position to be clarified. In response, the Local Education Authority has re-assessed the information which it provided on 5th June 2017 and which was reported to committee on 15th June 2017. It advises that there is a requirement for a developer contribution to increase capacity at Harby Primary School. This advises now takes account of the permission granted on appeal for housing on the adjacent Millway Foods site, which was not included in their previous assessment. A contribution for the Primary School sector of £145,188.12, to which the applicant agrees. Cllr Rhodes has written asking that his position is conveyed as follows: “I accept that Harby will have to accommodate a growth of housing totalling 98 new houses over the course of the emerging Local Plan period to 2036. This application according to my calculations brings the number up to 136 – 38 more than needed. If the Committee is minded to approve the application, the number of houses permitted should be restricted to 12.”</p>

The Head of Regulatory Services commented that the decision taken on the LP on Tuesday revise the figure in Harby to 78, of which the Millway Foods site satisfies 53 and the neighbouring Boyers Orchard site a further 15. However he reminded the Committee that, even after Tuesdays progress, the Plan is far from settled and we cannot rely on its content for decisions. This site for a greater number of houses (61 vs 50) than is allocated in the Plan. We are in the hands of the NPPF as described on page 15 and the conclusion of this report. Unfortunately Cllr Rhodes limitation could not be achieved by condition as it would be taking away the greater part of what we would be granting. If Members consider the number too large, refusal would

be the way forwards.

A further comment from the NP group seeking clarification of the requirements of Condition 11 – i.e. does it require improvement all the way to the junction with Main Street (as did the Millway Foods permission), and suggests an alternative offering greater clarity:

“...the existing footway which extends to Main Street shall be improved in accordance with the in principle scheme shown on drawing number: HBY-BWBGEN- XX-DR-TR-102_p2.

The scheme shall include the widening of the footway to 2 metres or the maximum available within the limits of the highway, and a suitable crossing point for all users where the footway changes from one side of the carriageway to the other. All details of the footway construction shall be in accordance with CHA standards.”

The Head of Regulatory Services displayed a plan of the area showing the extent of the footpath improvement proposed, which would be secured by the condition in the report, enabling it to be compared to that suggested by the NOP Group.

b) Paul Wakefield, agent for the applicant, was invited to speak and stated that: the application had previously been deferred to allow for further consultation with the Local Education Authority to ascertain the capacity of the village primary school. A contribution for primary school places had been sought and this has been agreed by applicant. He also reiterated the key points within the report.

Cllr Wyatt proposed to permit the application due to the agreement for contributions to the village hall and school.

Cllr Botterill seconded the application and noted that it would be a benefit between the two sites.

Cllr Holmes commented that she was pleased to hear biodiversity has been taken in to consideration.

Cllr Chandler noted that with Millway Foods winning on appeal this application will take some of the objections away and will join up the two sites and look more cohesive. The approach in to Harby will look better.

A vote was taken and the Members voted unanimously to permit.

DETERMINATION: PERMIT subject to:

(i) The completion of a s106 contribution as set out in the report, including the latterly agreed sum towards education provision of £145,188.12

(ii) The conditions as set out in the report

For the following reasons:

The Borough is not deficient in terms of housing land supply. The methodology used to demonstrate that there is a 5year supply has included sustainable sites, such as this, which have been scrutinised as part of the evidence supporting the new local plan.

Affordable housing provision remains of the Council's key priorities. This application presents affordable housing that helps to meet identified local needs. Accordingly, the application represents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the housing need. Harby is considered to be a sustainable location with a reasonable range of facilities and capacity to accommodate some growth. It is considered that there are material considerations of significant weight in favour of the application, and its partial

alignment with the Pre-submission Local plan adds additional support. The site is considered to perform reasonably well in terms of access to facilities and transport links.

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the development of the site from its partial green field state and the impact on the character of the village and it's setting . The site effectively links the development of the brownfield Millway Foods site with the rest of the village..

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a green field site, landscape impact and limited sustainability – are considered to be of limited harm.

Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits; it is considered that permission should be granted

Cllr Hutchinson left the meeting at 6.14pm ahead of the Members hearing his applications.

Cllr Botterill asked for a point of clarification regarding the amount of houses and order of building the houses for the applications that have come forward for Harby.

Also there are more houses than suggested in the local plan.

The Head of Regulatory Services responded that permissions have been granted for these applications so they can implement them when they like and in which ever order they choose. The local plan isn't ready yet so there isn't a ceiling on the number of houses. Permissions would override the plan anyway.

PL19.2 **17/00327/FULHH & 17/00328/LBC**

Applicant: Mr E Hutchison

Location: The Tithe Barn, 20A Water Lane, Frisby on the Wreake

Proposal: Erection of a timber garage

- a) The Head of Regulatory Services stated that: There are no updates to the report.

Cllr Chandler proposed to permit the application.

Cllr Wyatt seconded the proposal and commented that it it's the tidiest building site he had ever seen.

A vote was taken and the Members voted unanimously to permit.

DETERMINATION: PERMIT both applications in accordance with the recommendations in the report, for the following reasons:

The proposed garage building is of traditional construction and design based on a traditional oak frame with a pantiled roof.

As such it respects the host listed dwelling and its conservation area location.

The garage is a building which adds to the residential enjoyment of the host dwelling and is solely related to it. It will be set back from Water Lane and that will reduce its visual impact in relation to both the grade II listed buildings in the vicinity and the street scene in general.

The revisions to increase the ridge height and the provision of dormer windows do not significantly impact on the outcome of the original application that was approved in 2014.

Cllr Hutchinson returned to the meeting at 6.19pm

PL20

ARTICLE 4 DIRECTION: LAND AND BUILDINGS AT MELTON MOWBRAY HOSPITAL, THORPE ROAD, MELTON MOWBRAY,

Cllr Wyatt noted that the for sale signs have disappeared and he is waiting to see what happens with the developers.

Cllr Greenow proposed to permit the recommendation at 2.1.

Cllr Wyatt seconded the proposal.

A vote was taken and the Members voted unanimously to permit.

DETERMNATION: to apply the use of an Article 4 Direction removing the 'permitted development rights' of specified buildings at the Melton Mowbray Hospital site for any building operation consisting of the demolition of a building (details depicted in APPENDIX 1)

PL21	Urgent Business None
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The meeting closed at: 6.23 pm

Chair