

# Minutes

<b>Meeting name</b>	<b>Planning Committee</b>
<b>Date</b>	<b>Thursday, 27 July 2017</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 J. Illingworth (Chair)

**Councillors**

P. Posnett (Vice-Chair)	P. Baguley
G. Botterill	P. Chandler
P. Cumbers	P. Faulkner
M. Glancy	T. Greenow
E. Holmes	J. Wyatt

## **Observers**

**Officers**

- Solicitor To The Council (SK)
- Head of Strategic Planning and Regulatory Services
- Regulatory Services Manager
- Planning Officer (GBA)
- Administrative Assistant (KS)

Minute No.	Minute
PL22	<p><b>Apologies for Absence</b> None</p>
PL23	<p><b>Minutes</b> Minutes of the meeting 29th June 2017</p> <p>Cllr Holmes wished for the year at the bottom of page three to be changed from 1974 to 1972.</p> <p>Cllr Posnett stated that she was not present at the meeting on the 29th June. The Chair noted that the title should read Special Meeting of the Planning Committee not Meeting of the Special Planning Committee.</p> <p>Approval of the Minutes was proposed by Cllr Holmes and seconded by Cllr Baguley.</p> <p>The Committee voted in agreement. It was unanimously agreed that the Chair sign them as a true record.</p> <p>Minutes of the meeting 6th July 2017</p> <p>Cllr Posnett stated that she was not present at the meeting on the 6th July.</p> <p>Approval of the minutes was proposed by Cllr Glancy and seconded by Cllr Chandler.</p> <p>The Committee voted in agreement. It was unanimously agreed that the Chair sign them as a true record.</p>
PL24	<p><b>Declarations of Interest</b> Cllr Greenow declared an interest in application 16/00519/FUL as the applicant is a client of his.</p>
PL25	<p><b>Schedule of Applications</b></p>
PL25.1	<p><b>16/00704/OUT</b> <b>Applicant: Mr and Mrs Cook</b> <b>Location: Land South of Frisby on the Wreake, Leicester Road, Frisby on the Wreake</b> <b>Proposal: Outline application, with all matters other than access to be reserved for future approval, for the residential development of up to 48 dwellings with associated access, community uses, landscaping, open space and drainage infrastructure.</b></p>

(a) The Regulatory Services Manager stated that:  
A letter had been received only 24hrs previous and circulated the day of Committee. Members may not have considered the letter and taken it into account and therefore cannot make a judgement on the content.  
Advised that it was best to defer the application until Members and officers had had a chance to digest the new information.

The Chair added that the Members had not had a chance to consider the new information and he did not feel comfortable chairing the debate.

**Cllr Wyatt proposed to defer** to application.

**The Chair seconded** the proposal to defer.

A vote was taken and it was unanimously decided that the application would be deferred.

**DETERMINATION: Defer, to allow consideration of the recently submitted information.**

PL25.2

**16/00740/OUT**

Applicant: Ms Siobhan Noble

Location: Land at Water Lane, Frisby on the Wreake

Proposal: Residential development of up to 30 dwellings

(a) The Planning Officer stated that:

The letter from the solicitor advised about on the previous application relates equally to this application, therefore the application should be similarly deferred. The other reason for deferment is set out in the update report. In summary, this states that over a number of months various information has been exchanged, analysed and assessed, in the main this has been resolved but the key matter which remains unresolved is the status of the land in terms of which flood zone it is in and risks from ground water flooding. Those matters need to be resolved before the application can be determined.

**Cllr Wyatt proposed to defer** the application.

**Cllr Holmes seconded** the proposal to defer and asked that the infrastructure and drainage was looked into.

The Chair clarified that the reasons to defer were the needs to consider which flood zone the site would go into and issues relating to drainage.

A Member stated that this was no small matter; it needed more evidence and was happy to support the deferral.

A vote was taken and it was unanimously decided that the application would be deferred.

**DETERMINATION: DEFER, to allow consideration of the status of the land in terms of which flood zone it is in and risks from ground water flooding, and the recently submitted information.**

Cllr Greenow left the room at 6.15pm

PL25.3

**16/00519/FUL**

**Applicant: Mr Andy Gibson**

**Location: Field OS 0044 Leicester Road, Frisby on the Wreake**

**Proposal: Proposed livestock barn (total floor**

(a) The Planning Officer stated that:

This application seeks full planning permission for the construction of an agricultural livestock barn, to an isolated parcel of land being field OS 0044 which sits adjacent to the Main A607 Leicester Road served by an existing access on Great Lane Hill, Frisby on the Wreake.

The parcel of land to which the application relates, is the result of field having recently been subdivided by a post and rail fence.

The application presents a balance of competing objectives, as proposals for agricultural buildings are generally supported in terms by policy within the NPPF, OS2 and C3 of the Local Plan Whereby local planning authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas, subject to the more detailed criteria within those policies, thus being reasonably necessary for the purposes of agriculture.

Concerns therefore remain that the applicant has not provided sufficient evidence to prove that the proposed building is deemed to be sustainable and reasonably necessary for the purposes of agriculture and therefore an unjustified intrusion within the open countryside.

The balancing issues are considered to be primarily if the proposal is reasonably necessary to this isolated parcel of land, not being central to any core farm holding, the applicants own dwelling or contracts, which are remote from the site.

As such the application is recommended for refusal as set out in the report.

The Chair read out the applicant's speech and stated that:

Our business was established in 1995 on a four acre tenanted farm base and has sustained itself and a growing family until 2016. After 22years of contract calf rearing, cattle and sheep breeding, were given notice to move, through no fault of our own, due to a change in ownership.

In having to relocate we had the opportunity to buy land at Frisby with the intention of making it our farm base. Our overall holding size has never diminished and we still rent around 80 acres of grass land in the area on tenancy agreements which have been submitted.

We have made a considerable investment in purchasing the land and desperately need a building for the sake of the welfare of our animals and to safeguard our farming way of life for the future. Our daughter has just completed a Level 3 Extended Diploma in Agriculture at BMC with a triple Distinction star and this building will enable her to pursue a career in agriculture. We have provided substantial evidence to support our farming business, but we urge you to support

us in ensuring that it can continue to grow, provide employment and sustain our business.

The officer considers that the building is too big for the site, but in discussions in the early stages of the application dismissed our suggestion of a reduction. Please note that the building in agricultural terms is minor development and considerably less than the normal acceptable amount allowed under an agricultural general permitted development order. The manure will not be stored for long periods and will be disposed of on our own land and other farmers land. The land to the North, West and South is agricultural and equestrian land and the isolated land that she refers to is situated adjacent to the Buena Vista Kennels and the building is similar to other agricultural buildings in the area. It is hard to understand why the officer recommends refusal, but states that the building will not have an undue adverse impact on the residential amenities of neighbouring properties and is acceptable under policy C3 and also has no objections from highways, the parish council, ecology and neighbours.

Without the support of this committee our family future is in serious jeopardy. Councillor Greenow has declared his interest due to his involvement with Melton Mowbray livestock market. He knows first-hand that we buy and sell regularly through the market and have done so for many years.

Our vet supporting this application has verified the strain and losses this has had on our livelihood through the winter as a result of not having an appropriate building on the site. On welfare grounds we had to seek alternative options, which resulted in increased labour and costs. Due to the nature and high demands of calving and lambing, it is vital that we can provide a suitable building to house our livestock. We need to maintain good husbandry and welfare standards and prevent the losses that are impacting our business and has made us unable to enter into calf rearing contracts and the longevity and uncertainty of this application has left the future of our breeding stock in jeopardy.

We breed sheep and Charolais Cattle and over the years have improved the quality and ultimately the value of the livestock we produce.

Thank you for giving us the opportunity to speak this evening. I am very grateful to those in the farming community that have supported our application.

Cllr Chandler sought clarification whether the land rented was under farm business territory

The Applicant confirmed that it was.

Cllr Holmes sought clarification whether there was a holding number.

The Applicant confirmed there was.

A Member sought clarification why an agricultural building needed planning permission and why it needed to come to Committee.

The Planning Officer stated that the application was recommended refusal however seven letters of support were received.

The Head of Regulatory services explained that in the same way six objection letters moves an application to Committee, six support letters does the same. He stated that the application does not qualify for permitted development rights as it is too close to houses and because of its proximity to the road.

A Member asked if there was room to move the proposal on the site so it fits in with requirements.

The Head of Regulatory Services explained that repositioning the site could mitigate the reasons for refusal.

A Member noted that there was concerns on evidence and asked what further evidence was needed.

The Planning Officer stated that certificates, supporting information, justification on the need for an agricultural building, and the location that serves the enterprise is remote from the site itself.

A Member asked when the FBT's expire.

The Planning Officer stated that he did not have that information.

A Member had concerns that there was no housing to hold livestock, cattle of cows calving on site. It is unsuitable for winter months.

**Cllr Chandler proposed to defer** the application until there was more information.

The Chair agreed and stated that FBT is integral information to make a decision.

**Cllr Posnett seconded** the proposal to defer.

A Member asked if a small pole barn would need planning. Concerns on calf rearing as it would need a building.

The Head of Regulatory Services stated that any building within 400m of housing would need planning permission.

A vote was taken. 10 Members voted in favour of deferment. 1 Member voted against.

The Chair asked for the application to be brought back soon.

A Member suggested that training be undertaken on FBT's as some Members were not aware of how they work.

**DETERMINATION: DEFER to seek information on the background to the application and the means of operation, in order to consider pollution issues.**

Cllr Greenow returned to the meeting at 6.33pm.

PL25.4

**16/00539/OUT**

**Applicant: C/O Fairhurst Consultancy**

**Location: Field OS 6934, Bypass, Asfordby**  
**Proposal: Outline application for 55 dwellings**

(a) The Regulatory Services Manager stated that this is an application for outline planning permission, with all matters reserved except for access. It relates to a number of paddocks situated between existing housing and the by-pass.

There are no technical objections to the application and is proposed for development in both the emerging local and neighbourhood plans. The Neighbourhood Plan can be given considerable weight because it is a post – examination plan, which will soon be subject to a referendum. The Local Plan can be given limited weight.

Note that the applicants have submitted a viability assessment which has been considered by the district valuer. This confirms that the development can deliver very little affordable housing.

Recommend that permission is granted subject to a section 106 and conditions as reported.

(b) Cllr de Burle, the head of the Parish Council, was invited to speak and stated that:

- Support application
- Key in Asfordby Neighbourhood Plan
- Plan formally adopted by the REEA Committee
- Developer should be required to incorporate traffic calming measures on
- Saxby Road from the site entrance extending past the school to the junction
- of the Loughborough Road
- Special attention to be given to concerns of potential flooding from surface water
- 

Cllr Chandler asked if he meant speed bumps by traffic calming measures.

Cllr de Burle stated that the road is narrow with a school entrance and often cars parked either side of the road. The village is sometimes used as a race track by drivers so traffic calming measures are needed.

(c) Maurice Fairhurst, the agent, was invited to speak and stated that:

- Low grade, unkempt agricultural land
- 2.4 hectares (5.9 acres)
- Outline application for access only
- Sustainable under the NPPF
- Social and economic benefits not outweighed by adverse impacts
- Site allocated for housing in Local Plan and Asfordby Neighbourhood Plan
- Unobtrusive
- Hedges retained and supplemented along bypass boundary
- Close to facilities such as school, shops, pubs, church etc.
- Pedestrian access
- New accesses and traffic calming measures provided

- Footpaths into Regency Road and playing fields
- Agreed conditions with Highways Authority

Cllr Wyatt asked what the proportion of bungalows is.

The Agent stated there would be 11.

Cllr Chandler asked if there could be an access brought to Regency Road.

The Agent stated that this had been thought about however the Highways Authority was keen to keep vehicular traffic on Saxelby Road. There is not enough visibility emerging from Regency Road. Used instead as cycle way and pedestrian access.

(d) Cllr Sheldon, the Ward Councillor, was invited to speak and stated that:

- Flooding issue
- Drain provided when the bypass was built no longer works
- Maintenance of drainage needs to be addressed
- Flooding previously occurred and flooded Prince Charles Square, Bradgate Lane and an old people's home
- 

Cllr Wyatt asked which home was flooded and stated that no flooding had occurred recently.

Cllr Sheldon stated that it was Bradgate Lane Flats. The issue had been rectified but needed to be sure the new drainage works and does not add to the problem.

The Regulatory Services Manager stated that condition 7 refers to drainage and the maintenance thereafter. Condition 13 covers traffic calming measures with the introduction of 20mph zone in the school area to maintain safety. Access on Regency Road is logical however adequate visibility is not provided thus it is unsuitable.

A Member asked if the 20mph zone was advisory or enforceable.

A Member clarified that it could not be enforced.

A Member asked how many houses were allocated to Asfordby in the Local Plan. Previously the area was left as there could be no buildings closer to the bypass.

The Head of Regulatory Services stated that there was a gross allocation of 290 but because of site limitations this comes down to 160.

**Cllr Holmes proposed to defer** the application until flooding issues were fixed.

**The proposal was not seconded** and the deferment failed.

A Member stated that previously houses were built and a steel culvert was provided to divert flooding to river, however holes were not cut into it. Since this was fixed



there have been no flooding issues.

**Cllr Greenow proposed to permit** the application subject to a further condition which would read: Prior to first occupation details of a traffic calming scheme in the vicinity of Captain's Close Primary School on Saxelby Road shall be first submitted to and approved in writing by the LPA and thereafter implemented in accordance with the approved scheme.

The Chair stated that Cllr Greenow's condition would supplant condition 13.

**Cllr Posnett seconded** the proposal to permit.

A Member stated that they would like to see a condition for specific earth bunding to safeguard traffic noise.

Cllr Greenow stated that the site is narrow and any bund would make it smaller. He was happy to leave condition 15 as it was.

The Regulatory Services Manager stated that condition 15 is not precise in noise proof measures. It could be a bund or acoustic fencing depending on the site, but would ensure residents are protected from noise.

A Member was concerned that condition 13 implementing traffic calming measures would incur a cost for the flashing bulbs on the school. Could the developers meet some of this cost.

Cllr Greenow appreciated the concern however it should be left to them to decide.

A vote was taken. 9 Members voted in favour of the proposal to permit. 2 Members voted against.

**DETERMINATION: PERMIT subject to:**

**(i) The conditions as set out in the report and ;**

**(ii) The completion of a s 106 agreement as set out in the report**

For the following reasons:

The application seeks outline consent for a residential development of 55 dwellings. Approval is sought for the access into the site and the principles of residential development on this site, contained within the line of the bypass. It is considered that the application presents a balance of competing objectives and the Committee is

invited to reconcile these in reaching its conclusion.

Asfordby is a sustainable settlement with a reasonable range of facilities .The site is

considered to perform well in terms of access to facilities and transport links, particularly to Melton Mowbray.

The site is allocated for development in the pre-submission local plan, it is accepted

that Asfordby is a reasonably sustainable location for residential development, although at this stage the local plan can only be given limited weight. The site is also allocated for development in the Asfordby Parish Neighbourhood Plan. This should now be given considerable weight as it is a post examination plan which will soon be the subject of a referendum. The viability of the site and the ability of the development to deliver affordable housing is a material consideration. The information submitted by the applicant and independently verified on behalf of the Local Planning Authority indicates that this scheme can only deliver one affordable dwelling.

10

This site is an underused strip of land contained within the bypass. Residential development represents a good use of the site, with minimal impact upon the character of the area. There are no technical issues or significant objections to the proposal.

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, with a high proportion of bungalows. The balancing issues – impact upon neighbours and the character of the area and the need to provide noise mitigation – are considered to be of limited harm.

PL25.5

**16/00907/OUT**

**Applicant: Andrew Granger & Co. Ltd**

**Location: Recreation Area, Melton Road, Asfordby Hill**

**Proposal: Outline application for the development of 14 dwellings with associated vehicular access and public open space.**

(a) The Regulatory Services Manager stated that this application seeks outline planning permission with all matters reserved except for access.

The site is partially open space and overgrown allotments. The proposal would provide 14 dwellings and a play area larger than the existing play area. The provision of the new access would require the relocation of the existing bus stop. There is no objection from the Highway Authority.

There are no technical objections to the application and is proposed for development in the emerging Neighbourhood Plan. It does not feature in the emerging Local Plan. The Neighbourhood Plan can be given considerable weight because it is a post – examination plan, which will soon be subject to a referendum. Recommend that permission is granted subject to a section 106 and conditions as reported.

(b) Cllr de Burle, head of the Parish Council, was invited to speak and stated that:

- Support application
- Key element to neighbourhood plan submission
- Provision for traffic calming measure on approach road of Melton side
- Tidies up area of woodland
- 

(c) Adam Murray, the agent, was invited to speak and stated that:

- 14 new houses including affordable housing
- In the context of surrounding properties

- Public open space
- Sympathetic to existing amenity
- Sustainable
- Benefits outweigh harm
- Improves open space provision
- Sufficient space for enhanced play area
- Tidies up overgrown area
- Allocated for residential development
- Supported by range of technical consultees
- 

(d) Cllr Sheldon, the ward councillor, was invited to speak and stated that:

- Stanton Road properties have suffered from water flooding
- Treatment of concrete and SUDs is a concern
- If the bus stops are relocated past the boundary they are the responsibility of Melton
- 

The Regulatory Services Manager stated that drainage is covered by condition 7. The bus stops will be relocated in a safe, appropriate position regardless of boundary. Highways Authority do not refer to any traffic calming measures.

**Cllr Chandler proposed to permit** the application and stated that it is a good scheme provided the conditions are adhered to.

**Cllr Posnett seconded** the proposal to permit and stated that the relocation of the bus stop is necessary as the traffic is bad at the roundabout.

A vote was taken and it was unanimously decided that the application should be approved.

**DETERMINATION: PERMIT subject to:**

**(i) The conditions as set out in the report and;**

**(ii) The completion of an s106 agreement as set out in the report**

**For the following reasons:**

**The application seeks outline consent for a residential development of 14 dwellings and a new area of public open space. Approval is sought for the access into the site and the principle of residential development. It is considered that the application presents a balance of competing objectives and the Committee is invited to reconcile these in reaching its conclusion.**

**The site is considered to perform reasonably well in terms of access to facilities and transport links, particularly to Melton Mowbray.**

**While the site is not allocated for development in the pre-submission local plan, it is accepted that Asfordby Hill is a reasonably sustainable location for residential development and that at this stage the local plan can only be given limited weight.**

**The Asfordby Parish Neighbourhood Plan should now be given considerable weight as it is a post examination plan which will soon be the subject of a referendum.**

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. This is also an opportunity to increase and improve the area and quality of the public space and play area. The balancing issues – loss of woodland and impact upon neighbours – are considered to be of limited harm.

PL25.6

**17/00315/OUT**

**Applicant: Mr D Benbow and Mrs H Swale**

**Location: Longcliff Hill House, Longcliffe Hill, Old Dalby**

**Proposal: Outline planning approval for the erection of up to 8 dwellings with associated vehicular access.**

(a) The Planning Officer stated that:

Additional information had been presented the morning of Committee and may not have been considered. Members were asked if they were happy to determine the application.

The Chair stated that matters in the new information may influence a decision and therefore any decision made without the new information being considered may not be sound.

**The Chair proposed to defer** the application.

**Cllr Wyatt seconded** the proposal to defer.

A vote was taken and it was unanimously decided that the application be deferred.

The Chair stated that it was frustrating when last minute information is supplied.

**DETERMINATION: DEFER, to allow consideration of the late representation.**

PL25.7

**17/00537/FUL**

**Applicant: Mr Leon Dolby**

**Location: The Wicket, 7 Granby Lane, Plungar**

**Proposal: Change of use of paddock to garden use (retrospective)**

(a) The Planning Officer stated that:

The following application is a change of use from paddock to residential.

The land is to the west and south of the host dwelling and is allocated as open space under the old local plan policy BE12.

The site has however been reassessed in a landscape study of 2015 as having limited public visibility and does not relate to the settlement character.

For this reason it is considered an acceptable change and therefore recommended for approval.

In addition there has been a concern about the motor cross use at the site and it remains that there is no evidence to suggest a material change of use exists.

Any noise issues need to be taken up with the MBC environmental health team

where a diary account of when this takes place is needed.

(b) Cllr Ian Lowther, a parish councillor, was invited to speak and stated that:

- Residents upset about motor cross activities
- Motor cross track not permitted and no action taken
- Environmental nuisance
- Smoke and noise issues
- Affects landscape quality
- Development not approved in old Local Plan
- Adverse impact on landscape character
- Rural village scheme disappears
- If changed to garden more likely to be developed as housing
- Should be enforceable conditions that no housing can be built on land and
- motocross course removed
- 

The Head of Regulatory Services sought clarification whether the site was used for motor cross competitions.

Cllr Lowther confirmed that it was not but said that the owner competed in competitions.

The Head of Regulatory Services asked if it could be explained how using the site as a garden instead of it being a field detracts from its open character.

Cllr Lowther stated that the use would possibly be the same however there are concerns that a garden may be considered 'fair game' for development whereas protected open land may not.

Cllr Chandler asked if there was a Contravention Order.

Cllr Lowther stated that a Notice had been issued.

(c) Margaret Adams, an objector, was invited to speak and stated that:

- Owner of adjacent garden to site
- Change of use eases way for residential development
- Motorcycle use should only be 14 days of the year
- Potential to exceed 14 days if paddock is changed to a garden
- Needs enforcing
- Previous complaint registered has not been resolved
- Noise and smell impacts
- Adverse impact on residential amenities

(d) Leon Dolby, the applicant, was invited to speak and stated that:

- No development on land
- Opportunity to make garden as good as possible for family
- Use of motor cross course 20 minutes at a time

- The Head of Regulatory Services stated that residents had supplied a list of dates and times of use that convey different accounts that were conveyed in the report.

The Applicant stated that he also had a diary of dates and times, and the noise is similar to that of a strimmer.

The Head of Regulatory Services stated that a notice had been served and it is an investigatory tool. The land becoming a garden does not mean it will be developed and policies in the NPPF suggest this should be avoided. There is no need for the motocross use to have planning permission as it would be for domestic use which would not amount to a change of use. If it was used for competitions, it would need different permission.

The Planning Officer stated that environmental health can monitor noise.

**Cllr Posnett proposed to permit** the application and stated that it was to change a paddock to a garden, and either could be developed.

**Cllr Glancy seconded** the proposal to permit.

A Member stated that they could not support due to the noise that will affect the residential amenities of neighbours. Use of the paddock as a garden would be fine but concerns on the motocross course.

A Member asked if the site was left as a paddock, would it still be a nuisance.

The Head of Regulatory Services stated that there would be a restriction of use to 14 days a year in these circumstances.

**Cllr Holmes proposed to refuse** the application as it would disturb neighbouring residents.

A vote was taken to permit the application. 5 Members voted in favour of the proposal. 6 Members voted against.

**The Chair proposed to refuse** the application.

**Cllr Wyatt seconded** the proposal to refuse.

A Member asked for the reasons for refusal as they were concerned it would not be refused on planning matters.

The Chair stated that they would be losing enforcement of the paddock.

The Planning Officer clarified that the decision should be made based on the question of if the area is suitable to be used as a garden. The motocross course could be used on the land whether it is a garden or a paddock, albeit limited in the

case of the latter.

**The Chair withdrew his proposal to refuse and revisited the proposal to permit based on the use of land as a garden as other issues are subsequent.**

**Cllr Posnett proposed to permit the application.**

**Cllr Glancy seconded the proposal to permit.**

A vote was taken. 5 Members voted in favour of the proposal. 4 Members voted against. 2 Members abstained.

**DETERMINATION: PERMIT, subject to the conditions set out in the report, for the following reasons:**

**The proposal is for a change of use of land that according to the most recent appraisal (September 2015) is of very limited value. The proposed change of use to garden is considered to be development that will not change significantly the character of the area. In addition to this, conditions will be imposed to restrict the development of any buildings etc. without consent of the LPA.**

**In conclusion it is considered that, on the balance of the issues, the proposal is acceptable, but it is accepted that this is a finely balanced case.**

**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 can be granted.**

A break was taken at 8.00pm.

Cllr Botterill left the meeting at 8.04pm.

The meeting reconvened at 8.07pm.

PL26

**Appeal against non-determination of 16/00374/OUT: Prince's Road, Queensway**

The Regulatory Services Manager stated that:

Ecology have concerns on 44 dwellings. At the time of consideration by the planning inspectorate it was based on an audit of 2011. New hierarchy in settlements of local plan, Queensway is some way down the ranking. More recent work investigates sustainability.

A Member stated that ecology say the land is not suitable however the land beyond is similar.

**Cllr Chandler proposed to move the officer's recommendation.**

**The Chair seconded the proposal.**

Cllr Posnett stated that she was not at the original hearing.

A vote was taken. 4 Members voted in favour of the proposal. 3 Members voted against. 1 Member abstained.

Cllrs Botterill and Holmes were not present for the vote.

**DETERMINATION:**

The basis of the Council's case is:

1. In the opinion of the Local Planning Authority the proposal would, if approved, result in the erection of residential dwellings in an unsustainable location. The development in an unsustainable location where there are limited local amenities, facilities and bus services and where future residents are likely to depend on the use of the car, contrary to the advice contained in NPPF in promoting sustainable development. It is considered that there is insufficient benefits arising from the proposal to outweigh the guidance given in the NPPF on sustainable development in this location and would therefore be contrary to the "core planning principles" contained within Para 17 of the NPPF.

2. The development would result in the loss of a 4ha area proposed for the management of ecology in accordance with condition 9 of planning permission ref.15/00017/OUT. In the absence of the provision of an area of equal scale and ecological value it is considered that the proposed development would have a detrimental impact upon the natural environment. It would be contrary to the "core planning principles" and para 109 of the NPPF which seeks to minimise the impact of development on bio-diversity.

PL27

**Urgent Business**

None

A vote was taken for the press and public to be dismissed for the next item. It was unanimously decided that they would be excluded.

PL28

**EXCLUSION OF THE PUBLIC - APPEAL AGAINST REFUSAL OF 16/00100/OUT : OAKHAM ROAD, SOMERBY**

The Head of Regulatory Services stated that:

The purpose of the report is to consider the applicant's willingness to submit a further application in lieu of pursuing the appeal.

**The Chair proposed to accept** the recommendation.

**Cllr Wyatt seconded** the proposal.

A vote was taken and it was unanimously decided that the report would be accepted.



**DETERMINATION: That the Committee request the appeal to be held in abeyance pending the invitation and subsequent determination of a further application.**

The meeting closed at: 8.27 pm

Chair