Minutes

Melton Borough Council

Rural Capital of Food

Meeting name	**Planning Committee**
Date	**Thursday, 7 September 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. Posnett (Vice-Chair)
G. Botterill
P. Cumbers
M. Glancy
E. Holmes
P. Baguley
P. Chandler
P. Faulkner
T. Greenow
J. Wyatt

Observers

Officers

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

Minute No.	Minute
PL34	**Apologies for Absence** None
PL35	**Minutes** Minutes of the meeting held on 17th August 2017. Approval of the minutes was proposed by Cllr Greenow and seconded by Cllr Glancy. It was unanimously agreed by all Members who were present at the meeting on 17th August that the Chair sign them as a true record.
PL36	**Declarations of Interest** Cllr Botterill declared a pecuniary interest in application 17/00890/FUL and stated he would leave the meeting for the duration of the discussion. Cllr Chandler declared an interest in application 17/00890/FUL as her son is a tenant of the Belvoir estate and it could be considered prejudicial even though she didn't believe so. Cllr Holmes declared that she had no interest in application 17/00281/OUT which had been previously suggested. Cllr Posnett declared that she had no interest in application 17/00281/OUT but she had been previously advised to declare an interest due to contact with the family. However she wished to confirm the contact was with the applicant's parents and she had never had any contact with the applicant.
PL37	**Schedule of Applications**
PL37.1	**16/00704/OUT** **Applicant: Mr and Mrs Cook** **Location: Field OS 0044 Leicester Road, Frisby on the Wreake** **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.** (a) The Regulatory Services Manager stated that: The determination of this application was deferred from the last meeting because of concerns about water supply and sewage. Before going through the report Members were updated on that matter.

Severn Trent Water (STW) have commented on water supply and sewage disposal as follows:

Water Supply - An assessment of the system indicates that this area has good capacity to supply this development. The area is pressure managed, so STW has scope to carry out remedial works to bring the water pressure back up to the level it was at before this development.

Sewage – ***(****states, in summary****)*** STW has a statutory duty to dispose of sewage from all residential development. There is no technical or financial reason why this could not be achieved in respect of this development in Frisby. Although they have not established precisely what works would be necessary .The implementation of works could result in delays to development and the occupation of dwellings.
To ensure that no development comes forward in advance of any improvements to infrastructure it is suggested that any permission should be subject to the following additional condition :

Condition
No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been approved in writing by the Local Planning Authority. Such works shall be implemented to the reasonable satisfaction of the Local Planning Authority before the associated buildings to which they relate are occupied. Any works required to upgrade the infrastructure sufficiently to provide capacity for the new development shall be undertaken prior to acceptance of the development's foul sewerage.

Reason
To protect water quality and to secure a satisfactory standard of development, in accordance with the requirements of paragraph 109 of the NPPF.

STW consider that this would be acceptable and the applicants agree to the imposition of the condition.

A Councillor raised concerns regarding the provision for dealing with the sewerage and what conditions had been imposed on Severn Trent regarding this.

The Regulatory Services Manager responded that Severn Trent has a legal duty to provide a sewerage connection and that this has to be put in place before any dwellings can be occupied.

A Councillor commented that no scheme had been submitted and that the developer wouldn’t design a scheme without permission.

The Regulatory Services Manager reminded Members that this is not unusual with an outline application.

The Chair commented that it was unlikely any developer would create a scheme on a speculative basis and checked that the Members would like to proceed with the rest of the updates from the report now that this concern had been addressed.

Update since the agenda was published

Following the publication of the agenda the following has been received :

1. Representation from a resident – The proposed additional school parking/drop off, pedestrian access and land for possible future school expansion have not been agreed by the school.
Response *Noted, but no weight was given to these features in the determination of the application.*

2.Letter from the Chairman of the Neighbourhood Plan Advisory Group (This letter was copied to all of the Members of the Planning Committee) – Generally critical of the update report and request 4 amendments :

i) Statement that a "arrangements to appoint an Examiner of the NP are in hand" is not accurate as an Examiner has been appointed. ***Response*** *- An Examiner was only appointed after the publication of the agenda, so the report was accurate, but agree that it needs to be updated. But would note that the appointment of an Examiner does not add any more weight to the NP; it remains at the pre-Examination stage.*

ii) Considers that the breakdown of the 62 representations to Regulation 16 of the NP should differentiate in more detail between those who responded and their interests in any land in the village which may be developed.
Response *- The report accurately states that there were 62 representations and breaks them down into three categories; residents, consultees and landowners.*
The NPAG's table separates residents who own or have an interest in possible development sites from those with no such interests. Similarly, land owners are separated and consultees fall into two categories. Would reiterate that the report notes that it is the content of the comments, not their number, or who submitted them that is important.

iii) Concerned that the comment that "the NPAG considers that as most objections come from developers the statement about the level of unresolved objections is misleading and should be removed from the report " is inflammatory . Note that objections were understandable as developers have vested interests. Passing comment about whether residents of Frisby supported allocations in the LP.
Response *– No additional comment ,but agree with the NPAG that it is will be for an Examiner to consider and adjudicate upon these representations .It is the degree of unresolved matters is relevant ,,not the number of source of comments .Support for LP – noted. In this case Members need to take*

account of the representations in respect of this application and the planning matters which they raise, which are summarised in the main body of this report.

iv) Bemused and confused to references that the NP does not deliver the level of development set out in the LP. Delivers 78, 10 more than the 68 that the LP requires. Consider that these comments are misleading.
Response *– The LP allocates 118 dwellings to Frisby. 68 is the residual apportionment*

The Regulatory Services Manager then summarised the main points in the update report which had been published as part of the agenda. Noted that the original application report (appendix A) was taken as read and concentrated on the update report.

(b) Kate Baxter, on behalf of Frisby Parish Council, was invited to speak and stated that: they strongly oppose approval. Concerns regarding:

- Increased vehicle movement and the route vehicles would take (shortest, most convenient not necessarily the designated one)
- Visual splays do not meet guidelines especially turning towards Leicester
- Increased vehicles throughout the day (109 extra)
- Increase peak time congestion which doesn't include school traffic
- Road too narrow – no opportunity to pass and not viable to widen
- Not a classified main commuter route
- Narrow entrance
- Pedestrians would have to walk along an unlit road
- Unlit lane with no room for cyclists, pushchairs or wheel chairs
- Accessing the bus service is hazardous
- Traffic accidents occur but are removed before the police are aware so not included in figures

(c) Martin Smith, an objector, was invited to speak and stated that: at least 85% of occupied households in Frisby support our Neighbourhood Plan as shown by the large number of representations to the NBC regulation 16 local plan. There are concerns regarding:

- flooding
- drainage plan should be available to view
- road safety of pedestrians
- negative visual impact
- loss of privacy, sunlight, security and solar power production
- light pollution from car parks, street and security lighting
- block natural light to school especially in the winter months
- signs of bronze age and roman remains
- unresolved conditions
- should request a financial viability and deliverability report

A Councillor asked for clarification regarding the source of the mentioned

supporting figures.

Mr Smith responded that it had been a community survey over the last four weeks. It was sent to everybody in the village to ask if they support the neighbourhood plan. There were over 400 signatures.

The Chair confirmed that the statistics were different however Members could only go by the official figures that had been provided to the Council.

It was noted that Cllr Hutchison now has the petition.

A Councillor asked for confirmation that Gaddesby Road crossroad is at Leicester Road.

Mr Smith confirmed it was.

(d) Liberty Stones, agent for the applicant, was invited to speak and stated that: the officer had presented a detailed report in respect of addressing concerns and that it reflected the legal advice taken. The Neighbourhood plan is a material consideration and there was limited weight given to the emerging local plan. There had been a robust site search and this site had been included within the local housing trajectory and 5 year land supply. There are no constraints to the delivery of the proposed application. There are numerous benefits to residents with open space for all.

(e) Cllr Hutchison, Ward Councillor for Frisby, was invited to speak and stated that: He would like to remind Members that the residents of Frisby were encouraged to get involved with the local plan and had a cooperative mind set. There is a healthy selection of development sites to choose from to fulfil its revised housing allocation of 68 new homes. The Parish Council created a neighbourhood plan group that has conducted 3 housing preference surveys. Frisby recently completed its regulation 16 consultation and has no negative feedback from any statutory stakeholders and has now been appointed an Examiner. Should be afforded considerable weight and this is also the view of legal experts funded by residents. They have stated our Neighbourhood Plan would stand up against planning appeal and also support the two third parties who have already contacted the Secretary of State to apply the call in policy against this application. Frisby's plan already includes provision for 48 new homes on the Great Lane site which were approved by this committee earlier this year. These will be built within the next four years hence the Frisby community has over 70% of its 20 year allocation target fulfilled in the short term. Over allocation development. Does not fit in to the Frisby Neighbourhood Plan as it is too large. High infrastructure costs. Extension of Great Lane would reduce disruption to residents. This is further supported by petitioned survey where 85% agreed. Protect community from over development by refusing this application.

Members requested clarification on numbers of total dwellings.

Mr Smith stated that the local plan has reduced from 78 to 68.

A Member asked what question was asked in the survey.

Cllr Hutchison responded that the survey asked if residents of occupied houses supported the neighbourhood plan and 85% had said yes. On the last survey there was a preference for Great Lane with 65% and this proposal got 15%.

The Head of Strategic Planning and Regulatory Services showed the Members the figures. The local plan changes were only recently consulted upon. Developments promoted in various locations. Frisby on the Wreake total over 3 sites. The 68 houses in the local plan was the 'residual requirement', this is the minimum requirement that the Local Plan suggests. He displayed the Neighbourhood Plan which proposes 78 in order to meet this requirement are at the Great Lane sites (78 made up of 58 and 20 from the Great Lane sites). He also showed the relevant page of the Local plan in which 3 site allocations are proposed for Frisby which, combined, ad up to a total 'estimated capacity' of 118. He explained why these figures are important by referring Members to the measures on bottom of page 2 of covering report in which national guidance on assessing the weight of the NP is reproduced. He also displayed para 186 of the NPPF in which it is stated that neighbourhood plans are not to promote less development or undermine strategic policies.

Cllr Holmes proposed to defer until the neighbourhood plan was in place and asked how long this would take.

The Head of Strategic Planning and Regulatory Services responded that two had been done so far. One took well over 8 weeks and the other took over 4 weeks.

The Solicitor to the Council advised that a deferral should not be based on convenience or betterment issues. Bona fide planning grounds should be u provided.

Cllr Cumbers seconded the proposal to defer.

The Chair commented he was reluctant to accept the proposal to defer based on an emerging plan and that it would have to be based on planning grounds.

A Member commented that all application can't be deferred until plans are in place as the would allow and appeal to the Inspectorate due to non- determination.

The Head of Strategic Planning and Regulatory Services confirmed this could be the case if the non-determination lasts for an extended amount of time, beyond the prod agreed with the applicant.

A Councillor asked if the sewerage had been taken in to account by Severn Trent regarding the application that already had permission granted for houses to be built

opposite.

The Chair responded that the first developer that proceeds has to put scheme in to place and that the second developer will also have to comply. It is a statutory obligation to comply so it doesn't matter which one builds first.

The Regulatory Services Manager added that they have a legal duty to provide adequate sewerage and drinking water.

A Councillor commented the application shouldn't be deferred and that the Members must take the legal advice they have been given.

The Chair ruled that they wouldn't take the proposal for a deferral, as advised by the Solicitor to the council.

Cllr Holmes proposed to refuse the application due to concerns regarding the sewerage and water supply, road safety, the number of houses on the site and the infrastructure not being correct for a category two village.

Cllr Baguley seconded the proposal to refuse the application.

The Chair noted that the highways authority have no objection to the application.

Several Members raised concerns regarding the speed limit, cars passing safely at speed and the need to fulfil housing requirements being completed in a short amount of time when they have 20 years to comply.

A vote was taken. 3 Members voted in favour of refusal and 8 Members voted against refusal.

Cllr Wyatt proposed to permit the application and noted that the development itself hadn't been considered.

Cllr Greenow seconded the proposal to permit and added that it's a balance of issues and there have been assurances from Severn Trent which are sufficient and enforceable. There is no evidence that the harm doesn't outweigh the benefits. Asked if the proposer would add conditions to provide a footpath to Leicester road and to ensure Severn Trent complied.

Cllr Wyatt, the proposer, agreed to add the condition regarding Severn Trent but declined a condition regarding a footpath as he felt there was no room for it and there may be issues with maintenance responsibility.

Cllr Greenow agreed with the proposer.

A Member commented that they didn't want to see current residents sewerage and water services deteriorate.

The Chair asked if the proposer would add to the Severn Trent condition that the new scheme could not be detrimental to current residents.

Cllr Wyatt agreed.

A vote was taken. 8 Members voted to permit the application and 3 Members voted against. Cllr Holmes requested that her vote against permit was recorded.

Determination: PERMIT, subject to:
(i) Completion of a s106 Agreement as set out in the report and
(ii) Conditions as set out in the report
(iii) A further condition ensuring that any works required to upgrade infrastructure sufficiently to provide capacity for the new development shall be undertaken prior to acceptance of the development's foul sewage.

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. Frisby on the Wreake 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, particularly to Melton Mowbray.

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the development of the site from its green field state and the impact on the character of the rural village and approaches to it from the south and conflict with the emerging Neighbourhood Plan.

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 and conflict with the Neighbourhood Plan – 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 can be granted.
PL37.2	**17/00281/OUT** **Applicant: Mr M Brown** **Location: Land at South of Hill Top Farm, St Bartholomew's Way, Melton Mowbray** **Proposal: Outline application for up to 30 dwellings (Access of St Bartholomew's Way already approved)** (a) The Planning Officer (LP) stated that: This application seeks outline permission for the erection of up to 30 dwellings with associated access which has been approved under application reference 15/00593/OUT. All other matters are reserved at this time The application is located to the south of Hill Top Farm St Bartholomew's Way, the site itself is located alongside two previously approved applications for a total of 45 dwellings. The application proposes to use the land previously considered unacceptable in application 15/00593/OUT within the 100m buffer of the Scheduled Ancient Monument. The site is currently a field with no presumption in favour of development, however the proposal does include a mix of affordable housing. The Borough whilst not deficient in terms of housing land supply, housing does remain one of the Council's key priorities. Since the publication of the committee report additional clarification has been sought from the Education authority for their contribution, the details as set out in the report remain up to date with a contribution request of £80,621.53 towards the Secondary School Sector. It is considered that, on balance of the issues, there are benefits from this proposal when assessed under the NPPF in terms of housing supply and affordable housing in particular. The balancing issues are considered to be development of a greenfield site and the impact of the proposal on the nearby Sysonby Grange Scheduled Ancient Monument, the harm to the asset derives mainly form the proximity of the proposed development. The narrowness of the buffer and topography of the site would lead to the development being intrusive to the setting and harmful to the significance of the asset. As such the application is recommended for refusal for reasons as set out in the report. (b) Dr Patrick Clay, on behalf of the applicant , was invited to speak and stated

that:

- The setting of the monument has already been compromised by the wind farm.
- The boundary may not be relevant to the site itself and has been compromised by development over the centuries, including St Bartholemew's Way itself.
- Trial trenching has been carried out and produced limited interest.
- There will be information boards so as not to keep the site secret as it isn't currently well known.
- The site can't be seen from new hedgerow. Topography falls away. Far less severe than Historic England suggest. In favour of protecting the setting.

A Councillor asked if archaeological digs had taken place.

Dr Clay commented that they should be done if permission is granted.
A Councillor asked if they would let the hedgerow grow higher.

Dr Clay noted that this would afford the monument protection from the permission already granted. You wouldn't see the development and it would protect the setting further which is already well protected.

(c) Maurice Fairhurst, agent for the applicant, was invited to speak and stated that: we obtained expert advice from highways and ecological consultants. This has been researched in great detail. Already highlighted the benefits of the proposal. Straight forward and sensitive application. There will be tree planting. Approved development and access which has started to be constructed. Good accessibility. Financial contributions to school. Play space requirements can be met. No public access to view monument. Will provide access, and information board for the monument. Access already has highway approval. Benefits outweigh harm.

A Councillor asked if it would acceptable to condition completion to be 2 years instead of the usual 3.

Mr Fairhurst commented that it depends on the date it starts from and noted that 2 years within the first REM would be appropriate.

A Councillor asked if the drainage would be adequate.

Mr Fairhurst noted that they had received favourable reports from the Lead Local Flood Authority. Providing it is designed properly it won't contribute to flooding.

A Councillor asked who would design and maintain the information boards.

Mr Fairhurst commented that Dr Clay would be the best person to provide the Wording however the maintenance was yet to be agreed.

(d) Cllr Freer-Jones, Ward Councillor for Sysonby Ward, was invited to speak and stated that: a lot of thought and planning had gone in to the site. Impressed with the size of the gardens instead of squeezing them in. The applicant is going to live here too so they want it nice. Sites and monuments should be protected. Most consideration in any site ever visited. Thought gone in to a recreation area. Not many do this. Contributions to the community have been considered. They have mitigated against the objections of historic England very well. Setting of the monument is at the observers discretion and what can be seen from the actual area.

A Councillor asked how far the Monument is from the road.

It was noted that it is15 metres from the monument field to the mine road.

Cllr Wyatt proposed to permit the application.

Cllr Cumbers seconded the proposal and added conditions regarding the interpretation boards and archaeological digs as well as the usual conditions on applications.

Cllr Greenow noted that he would like to see a faster delivery and asked if the proposer would consider adding a condition of 2 years.

The proposer and seconder agreed.

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

Determination: PERMIT, subject to:

(i) The completion of a s106 agreement securing the contributions to civic amenity provision, education and sustainable travel as set out in the report
(ii) Conditions, the content of which was delegated to the Head of Regulatory Services

For the following reasons:
Although the Council can demonstrate a 5 year housing land supply, the delivery of housing in particular affordable housing is considered as a key priority for the Borough, this application presents housing that help to meet identified local needs, accordingly, the application represents a vehicle for the delivery of housing of the appropriate quantity, in proportion with the development ad of a type to support the housing need in a sustainable location close to Melton town centre.

It is considered that balanced against the positive elements, there is a clear harmful impact upon Sysonby Grange scheduled ancient monument as a result of the proximity of the proposed development. However, this harm is considered to be 'less than substantial'.

	In conclusion it is considered that, on the balance of the issues, it is considered that the benefit – principally the contribution to housing supply – outweigh the harm arising from the site as discussed above. **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 in this case.**
PL37.3	**17/00401/OUT** **Applicant: Andrew Granger & Co** **Location: Land off Canal Lane, Hose** **Proposal: Outline application for residential development of 16 dwellings with associated access.** (a) The Planning Officer (LP) stated that: This application seeks outline permission for the erection of up to 16 dwellings with associated access. All matters are reserved except for access from Canal Lane which would use a previously approved access point agreed as part of outline application 15/00944. The application is located in Hose, the site itself is located to the rear of the existing built form of the village and forms what could be considered as a second phase to the previously approved 25 dwellings. The site is currently a field with no presumption in favour of development, however the proposal does include a 37% mix of affordable housing. The Borough whilst not deficient in terms of housing land supply, housing does remain one of the Council's key priorities. Since the publication of the committee report additional items have been received namely comments from the Parish Council and comments from the Lead Local Flood Authority. The parish council object to the proposal on grounds of access and also request further archaeological details to be submitted. Details of highways and access have been covered within the Committee report, in terms of archaeology conditions 23, 24 and 25 request such details. The Parish Council have requested a contribution towards community facilities, however insufficient information has been presented to assess the requirement against CIL regulations in this instance. If Members are minded to approve the application, discussions can be held with both the parish council and the applicant regarding clarification and acceptance of the request. Comments from the Local Lead Flood Authority have confirmed that the proposed development would be considered acceptable to Leicestershire County Council as the Lead Local Flood Authority subject to conditions relating to Surface Water, Construction Surface Water, SUDS Maintenance Plan and Schedule and Infiltration Testing. It is considered that, on balance of the issues, there are significant benefits

from this proposal when assessed under the NPPF in terms of housing supply and affordable housing in particular.
The balancing issues are considered to be development of a greenfield site which is considered to hold limited weight particularly as this proposal forms a second phase to an existing outline planning permission and the site is allocated for development.

As such the application is recommended for approval subject to conditions as set out in the report and the additional conditions advised by the lead local flood authority.

(b) Neil Benison, from M-EC on behalf of the agent for the applicant, was invited to speak and stated that: developing the highways had been done in consultation with the Highways Authority. Access was improved in 2015 and deemed still to be acceptable. It introduced a chicane for traffic calming an added additional passing bay out of the village. No grounds to resist permission on highway grounds. The LLFA have no objection. Similar conditions to 2015. The attenuation pond naturally drains to that area in to a ditch and across to a culvert. Managing surface water can be considered a benefit.

A Councillor raised the following concerns:

- regarding provision of patient spaces at Long Clawson Drs surgery
- Single track road with no passing places (condition that there are passing places on Canal Lane)
- Speed of traffic along the lanes

Cllr Holmes proposed refusal of the application and added that she would like a condition adding for water and sewerage. The Drs surgery is overflowing. Concerns regarding school places. Hose is a tiny village and the infrastructure isn't good enough. Over intensification of a small village.

Cllr Baguley seconded the proposal and added that the access is bad and very narrow.

A Councillor asked for the date of the education figures.

The Planning Officer (LP) stated they were from April 2017.

A Councillor asked if we have we had conversations with CCG about health care.

The Head of Strategic Planning And Regulatory Services commented that we don't consult individual surgeries but we do consult the CCG.

Cllr Holmes noted the she could change her proposal for refusal to deferment and felt it was poor not to consult surgeries.

The Head of Strategic Planning And Regulatory Services responded that we can consult surgeries if Members instruct us to. Options may be to defer for more information or delegate to officers to follow that through.

Cllr Holmes asked the seconder, Cllr Baguley, if she would also consider deferral.

A Councillor noted that they haven't got the reasons for conditions.

Cllr Baguley commented that she still wishes to go with refusal due to issues with sustainability.

A Councillor advised Members that decisions to have a new surgery rests with the NHS not the CCG's. It has been reported that it is possible to extend Latham House surgery. No catchment area for the school it is based on parental preference.

Cllr Holmes declared she was still proposing refusal due to floods and the village is too small. Over intensification of a very wet site. Poor transport links. Very narrow road. Concerns over education and health service.

Cllr Baguley confirmed that she would still be seconding the proposal.
It is an inappropriate development. Urban development.

The Head of Strategic Planning And Regulatory Services noted the reason for refusal as: Hose is an unsustainable location for housing, opposite to local plan, passing places inadequate. Schools can't accommodate additional children. Surgery can't accommodate additional patients. Drainage is inadequate. Water can't supply to properties or at least without detriment to someone else.

Cllr Holmes asked for the number of other developments in Hose.

The Head of Strategic Planning And Regulatory Services confirmed that there are 77 dwellings over 3 sites.

A vote was taken. 2 Members voted in favour of refusal and 8 voted against. There was 1 abstention. The reason for abstention was that the Member would like more information.

Cllr Wyatt proposed to permit the application with the usual condition as well as the ones previously referred to.

Cllr Glancy seconded the proposal.

A vote was taken. 8 Members voted to permit and 2 voted against. There was 1 abstention.

Determination: PERMIT, subject to:

(i) The completion of an agreement under s 106 for the quantities set out in the above report to secure:

- **Contribution for the improvement to Education.**
- **Contribution to maintenance of open space**
- **The provision of affordable housing, including the quantity, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs;**

(ii) 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.

Hose 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 alignment with the Pre-submission Local plan adds additional support.

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

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the development of the site from its green field state.

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, issues of noise and drainage 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 can be granted.

	Cllr Chandler and Cllr Botterill left the meeting at 8.37pm due to their declarations of interest regarding application 17/00890/FUL.
PL37.4	**17/00890/FUL** **Applicant: Belvoir Estate - Mr Giles Bilton** **Location: Church Farm, Middle Street, Croxton Kerrial** **Proposal: Construction of new grain store** (a) The Planning Officer (GBA) stated that: This application seeks full planning permission for the construction of an agricultural grain store building, positioned to a parcel of land east of the tenants farm holding being Church Farm, Croxton Kerrial. It is presented before the Development Committee due to the Tenant Cllr Botterill being a member of the Council 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. The new building will enable the family farming business of more than 60 year to grow and manage their business in a more efficient and cost effective way. The development will have little impact on the landscape, mitigation measures including appropriate size, design and location have all been considered in order to minimise the impact of the proposed new agricultural building on its surroundings. Accordingly the application is recommended for approval as set out in the report. **Cllr Wyatt proposed to permit** the application. **Cllr Cumbers seconded** the proposal. A vote was taken and the Members still in attendance at the meeting voted unanimously to permit. **Determination: PERMIT in accordance with the recommendation and conditions as set out in the report.** **For the following reasons:** **The principle of the proposed new grain store is considered to be acceptable, as is the design and siting. The extension would preserve the character and appearance of the conservation area and would have no adverse impact on adjacent properties. The proposal would also be acceptable in terms of highway safety. The proposal complies with policies OS1 and BE1 and**

	accordingly, it is recommended for approval subject to conditions. **The application site boundary may be incorrect and require amendment. If amended plans are necessary they would be subject to re-consultation, which would expire after the date of this committee meeting.** **Should the Planning Committee be minded to approve the application, it is requested that delegated powers are given to the Head of Regulatory Services to issue the planning permission after the expiry of any re-consultation period. This is subject to no new material planning matters being raised during that period.**
PL38	**Urgent Business** None

The meeting closed at: 8.41 pm

Chair