

Minutes

Meeting name	Planning Committee
Date	Thursday, 5 July 2018
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) P. Baguley
G. Botterill P. Cumbers
P. Faulkner M. Glancy
T. Greenow B. Rhodes

Observers

Officers Solicitor To The Council (RP)
Development Manager (LP)
Administrative Assistant (JD)
Administrative Assistant (AS)

Minute No.	Minute
PL15	<p>Apologies for Absence Cllr Holmes and Cllr Bains sent their apologies.</p>
PL16	<p>Minutes Minutes of the meeting held on 14th June 2018</p> <p>The Chair requested amendments on behalf of Cllr Higgins who had been present as a substitute at the previous meeting. Amendments requested as follows:</p> <ul style="list-style-type: none"> • 17/01577/OUT, The Old Clay Pit, Grantham Road, Bottesford. – The developer was asked if they were committed to delivering 32% affordable housing. They confirmed that they were. It was not an informal chat. • 16/00615/OUT, Field No 4564, Burrough Road, Somerby – Page 14 The Ward Cllr stated - If the scheme was reduced to 10, there were no guarantees to secure any affordable housing or s106 commitments for the village. Therefore no identified benefits. • 17/01500/OUT, Field 4100, Lake Terrace, Melton Mowbray – Clarification of condition for the decision, regarding £813,382 towards strategic road improvements. Conditions should read: 36 affordable homes and 2/3 bed properties <u>must</u> be secure. The ecological enhancement should be conditioned. The contribution towards the distributor road should be invested in to Lake Terrace and not just the bypass. <p>The Chair asked if Members agreed that this is what was said. They confirmed they did.</p> <p>Approval of the minutes, subject to the above amendments, was proposed by Cllr Posnett and seconded by Cllr Greenow. It was unanimously agreed, by the members who were present at the previous meeting, that the Chair sign them as a true record.</p>
PL17	<p>Declarations of Interest Cllr Rhodes and Cllr Posnett noted that they are both also Members of LCC and may have had input in to some of the items being discussed whilst in their role as a County Cllr.</p> <p>Cllr Greenow declared an interest in application 18/00531/OUT, Land off Craven Street, Melton Mowbray, due to direct contact with residents of Craven Street, which could be a perceived bias.</p> <p>Cllr Posnett declared an interest in application 18/00407/FUL, Gates Nurseries And Garden Centre, Somerby Road, Cold Overton, due to family members being employed at Gates.</p>

Applicant: Mrs Bryan**Location: Westbury, Hose Lane, Long Clawson****Proposal: Link extension to connect garage to house and new stair access to first floor attic bedroom**

- (a) The Development Manager stated that: This application is a householder application that seeks permission for the addition of a link extension to join the existing double garage and residential dwelling. The link measures 5 metres in length and 7 metres in width with a height to match the existing garage.

The link would provide an entrance hall and dining room to ground floor and a landing to the first floor which would provide access to two bedrooms.

The proposal is presented to you as a member call in request, there are no updates to the report and the application is recommended for approval as per the officer report.

- (b) Elizabeth Swain, agent on behalf of the applicant, was invited to speak and stated that: the agent and applicant had been working with the officer for sometime on the application and there had been no issues until a neighbour objection has been received. There was a previous application for a garage to the side which had been built and there were no issues. The family has increased in numbers hence the need for the additional space. It has been designed to be subservient to the original building and the materials chosen to give a lightweight finish. The proposed extension is also stepped back on the front and back to ensure subservience. It will provide additional living space and easier access to the accommodation upstairs in the loft space.

A Member noted that the previous application was in 2003 and had not been executed in the way it was approved. The current application is trying to regularise what has been done before. It looks odd and there are outstanding problems. How does it fit in to produce a coherent property? It is currently a shell of a building. The planning conditions were not complied with previously so how do we know they will be this time?

Elizabeth Swain responded that it would be down to planning enforcement should they not comply. The previous application had gone past the 10 year time limit so not enforcement action could be taken now. It had not been fully completed however if this application was approved it would be completed and help this extension work with the existing house.

A Member noted that the floor level of the garage is 2 feet below what is required and a car wouldn't be able to drive in to it

Elizabeth Swain explained that it is still a garage space and that the landscaping and driveway is not complete. When they are completed it would bring it up to the correct level.

The Chair noted that condition 4 stated that the garage was not to be used as anything other than a garage.

A Member felt that this still doesn't regularise the garage issue.

A Member asked for clarification with regards to why they have chosen a zinc roof and the ridge heights.

Elizabeth Swain explained that it is to reduce the mass of the building as it sets it down a little bit. The zinc roof is to break up the building and mass of material.

The Development Manager advised Members that no enforcement action could be taken on the garage as it has been built for more than 10 years. The use of the garage has not changed as it is not complete.

A Member suggested a clause that officers have to visit the site to ensure that this application is constructed within the planning conditions advised.

The Chair reminded Members that they can't force someone to complete construction but that if they start using it for something other than agreed they can. We can't condition that planning officers visit building to check they comply but this should be picked up by building regulations or if someone should complain it would be looked at by enforcement.

Members raised concerns regarding the use of zinc for the roof and felt there could be a better match and asked if the materials could be conditioned.

The Development Manager advised that they can't impose their architectural views but if members felt it appropriate they could amend the conditions to request samples of the materials. The different material has been chosen to show the break up and make it more visually pleasing.

Cllr Greenow proposed to permit the application and added that he was also concerned regarding the material but it makes sense.

Cllr Posnett seconded the proposal and added that it will make a home complete and be of more use to the people who live in it. There will be no impact on neighbours.

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

Determination: PERMIT, subject to the conditions as set out in the report.

Reason: The proposal would create a small link between the bungalow and

the garage. Its design is suitable for the dwelling and would be an appropriately scaled addition. The proposed development has been designed to have limited impact on adjoining properties and would reflect the character and appearance of the surrounding area. The proposal would not have an adverse impact on highway safety. Accordingly, the proposal complies with the stated policies and guidance.

PL18.2

18/00407/FUL

Applicant: Mr Nigel Gates

Location: Gates Nurseries And Garden Centre, Somerby Road, Cold Overton

Proposal: Application for full permission for construction of a new retail unit (A1 use)

(a) The Development Manager stated that: This application relates to a full planning application for the introduction of a new retail unit at gates nursery and garden centre which is an established business, the key dimensions of the proposal are 33.5 meters by 18.5 metres with a ridge height of 7 metres. The use will be as an extension to the existing buildings for increased retail use.

The application is presented to you as a departure to policy, there are no updates to the report and the application is recommended for approval as per the officer report.

(b) Maurice Fairhurst, agent on behalf of the applicant, was invited to speak and stated that:

- It is a popular rural business in the borough.
- Employs over 100 people.
- Makes an important contribution to the economy.
- Mature landscaping ensures no significant impact.
- It will be a pleasant looking building and provide an enhanced shopping experience.
- It will improve business efficiency.
- No harm to the landscape and local amenities.
- There are no objections from neighbours.
- In line with the NPPF.
- In accordance with strategic policies in the new local plan.
- No objections from highways.

A Member asked for clarification of the proposed use.

Maurice Fairhurst responded that it is for general retail use and has been assessed on that basis.

Cllr Posnett declared an interest in this application as she has relatives that work at Gates.

Cllr Botterill proposed to permit the application and added that it is a successful

business that brings people together as friends and family around the area use it to meet up.

Cllr Baguley seconded the proposal.

A Member offered their support but added that they wouldn't like to see so many additions to Gates that it becomes that big that it has an impact on the surrounding area.

The Chair reminded Members that they could assess this in the future if other applications come forward.

The Chair read out a statement from the Ward Cllr, Cllr Higgins:

I support the officer report and recommendation to permit and would see this as a good asset to the Somerby ward for enterprise and employment.

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

Determination: PERMIT, subject to the conditions as set out in the report.

Reason: In conclusion it is considered that, on balance of the issues, there are therefore significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of boosting the rural economy. Applying the 'test' required by the NPPF that permission should be granted unless the impacts would "significantly and demonstrably" outweigh the benefits. Taking into account the proposed retail unit would be an expansion to the existing; it is considered that permission should be approved.

PL18.3

18/00531/OUT

Applicant: Dr Ervin

Location: Land off Craven Street Melton Mowbray

Proposal: Outline application for the erection of one dwelling

Cllr Greenow left the meeting at 6.33pm due to his declaration of interest.

(a) The Applications And Advice Manager stated that: This application seeks outline planning permission for the erection of one dwelling, the application is in outline with all matters reserved, there is therefore no detail presented for consideration solely the principle of residential development in this location, it should be noted that the submission follows a previous identical permission reference 15/00286/OUT, the reason for the submission is that the permission expired in May of this year.

The application is presented to you due to the number of representation received, representations have been considered accordingly, however given the previous approval and the nature of the submission which is outline with all matters concerned the application is recommended for

approval as per the officer report.

The Chair advised Members that more than one objector wished to speak and asked if Members would suspend standing orders to allow this. Cllr Posnett proposed to permit and Cllr Glancy seconded it. The Members voted unanimously to allow more than one objector to speak.

The Development Manager advised that she had received a number of photos from the objectors and asked if they were happy for these to be shown during both of their presentations.

(a) Dr Wood, on behalf of the objectors, was invited to speak and stated that:

- She is the owner and occupier of 52 Craven Street which is adjacent to the proposed development site.
- According to planning policy it is inappropriate development of a garden.
- There are mature shrubs and trees. Removal of these would have an impact on aesthetics and wildlife.
- Prevent infill development in the Sandy Lane area.
- There are no details with it being an outline application. The impact on boundaries is unknown.
- It would overshadow our kitchen and nursery.
- Loss of privacy to ours and neighbouring properties.
- Currently predominantly Georgian style houses. A new build may affect the street scene.
- No mention of access in the proposal. There is no access from Craven Street. The house that the garden belongs to is currently accessed via Ankle Hill.
- It would create significant impact on traffic on Craven Street and the parking along the street. Parking is already an issue.
- Access would impact on the current difficult parking situation and pedestrian and road safety.

A Member asked for clarification regarding who owns the hedge between the properties.

Dr Wood replied that the boundary is currently in question and she is not sure who it belongs to as there are fences within the hedge.

(c) Chris Adams, on behalf of the objectors, was invited to speak and stated that: he echoed much of Dr Wood's comments. His main concern was the access on to the property and traffic calming measures. Parking is already an issue but adding an access would add an impact to this as it could be a loss of parking.

The Development Manager advised that the application is outline only and that we don't know where the access would potentially be.

The Chair noted that it is difficult to judge the potential impact without knowing details. But everything could be determined and ensured it is satisfactory when the full application comes in.

A Member noted the difficulties in parking already along Craven Street and added that no matter where the access would be, it will probably impact the parking.

The Chair advised that we don't know where they will route the access and it could be off Sandy Lane instead of Craven Street.

A Member commented that in effect the property would be in someone's back garden sandwiched between 2 houses. Upon the site visit the outlook from number 53's garden was like being in the countryside. The trees should be kept. Sympathised with neighbours concerns. Concerns regarding traffic congestion. They could get access on Sandy Lane, however this could cause other problems if it is near the junction. Possible issues with road safety due to the amount of parked cars. Not against anyone building a house but other things do need to be taken in to consideration. As it is outline there is nothing to address Members concerns at this moment.

Several Members voiced further concerns about the access and highways. A recent diversion along Craven Street had caused havoc. Also concerned about the loss of green area in an already densely populated area.

The Development Manager reminded Members that it is outline and it is the principal of development that they were deciding on. We can't refuse on access when this has not been presented. We are discussing solely the principal of a house on the site. Everything else could be considered under a REM application.

The Solicitor advised Members of the fact that they have previously given planning permission for this site which has now lapsed and would need to give reasons for their change of decision. Page 41 of the report details this. The REM application would come to committee where you could look at everything. The law entitles applicants to put in outline applications.

A Member noted that the decision was 3 years ago and that they didn't have the 5 year land supply then. There is a change of circumstances and a change of opinion.

The Solicitor advised that a single house would not have a massive bearing on the 5 year land supply. Previously the application in principal was deemed as acceptable.

A Member raised concerns that we are not in the same situation as 3 years ago. The traffic has become worse since then and will continue to increase. There is no space for access on Craven Street and if one were to be created it would lose parking for other vehicles.

Cllr Faulkner proposed to permit the application in its current form in line with officers' recommendations and deal with any concerns at REM.

Cllr Botterill seconded the proposal.

A Member asked if they could condition what they would like to see in the REM.

The Development Manager advised that a common condition would be a mix in line with need which dictates the number of bedrooms.

The Chair asked if there could be a condition "in keeping with the street scene".

The Development Manager advised that it needs to be an identified need and that they should be cautious of this.

A Member asked if they could request a bungalow as there is a need and this would also minimise impact on neighbours.

The Development Manger advised that the surrounding properties are two storey and this would be considered unreasonable.

The Chair and Solicitor advised that this is part of a debate for REM.

A vote was taken. 6 Members voted for permit and 2 Members voted against.

Determination: PERMIT, subject to the conditions as set out in the report.

Reason: The development is not an allocated site for the purposes of the new Melton Local Plan however owing to the site being of not particular ecological/ attractive open space merit within an area of many other residential properties and previously approved scheme is seen to comply with the Local Plan policies as set out in the report and principles of the NPPF. The application was previously approved where the policy considerations remain relevant and therefore the principle of development remains established.

PL19

Urgent Business

None

The meeting closed at: 7.03 pm

Chair