

Minutes

Meeting name	Planning Committee
Date	Thursday, 27 September 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
T. Bains G. Botterill
P. Cumbers P. Faulkner
L. Higgins E. Holmes

Observers

Officers Solicitor (ST)
Assistant Director for Strategic Planning and Regulatory Services
Development Manager (LP)
Administrative Assistant (JD)
Administrative Assistant (AS)

Minute No.	Minute
PL38	<p>Apologies for Absence Cllr Greenow sent his apologies via Cllr Holmes Cllr Rhodes sent his apologies Cllr Glancy sent her apologies and was substituted by Cllr Higgins</p>
PL39	<p>Minutes Minutes of the meeting held 06th September 2018.</p> <p>A Cllr wished to add to the minutes regarding 18/00632/OUT, that it is Council Policy for a development of this size to include a play area.</p> <p>Approval of the minutes subject to the above amendment was proposed by Cllr Cumbers and seconded by Cllr Bains.</p> <p>It was unanimously agreed by the members present at the previous meeting that The Chair sign them as a true record.</p>
PL40	<p>Declarations of Interest None</p>
PL41	<p>Schedule of Applications</p>
PL41.1	<p>18/00882/FUL Applicant: Mr & Mrs Watchorn Location: Land off Wycomb Lane, Scalford Proposal: Proposed log cabin for tourism use</p> <p>(a) The development Manager (LP) stated that: The application seeks full planning permission to site a log cabin on land north east of Scalford village approximately 1.5km from Scalford with access from Wycomb Lane. Members requested confirmation of nearby footpaths to the site and these are displayed on the screen taken from the County Council Website, additional information with regards to location of parking and recreation space was requested by members but this has not been provided by the agent. There are no updates to the report and the proposal is recommended for refusal due to the location of the cabin not being considered as sustainable tourism and therefore not in accordance with either the NPPF nor the Melton Local Plan which has now passed examination and should be given significant weight.</p> <p>(b) David Manning, on behalf of the Agent, Maurice Fairhurst was invited to speak and stated that:</p> <ul style="list-style-type: none"> • Proposed site is on the site of disused recreational grounds • Network of footpaths connects site to other villages • Site has existing access which is to be realigned and widened to

improve visibility splays

- The single cabin is not a significant development and will not attract significant amounts of traffic
- The cabin will be largely hidden from view through existing/new planting
- Existing parking and turning spaces
- Level site, with plenty of room to do whatever is required
- Support from residents, no objections
- Will diversify the farm's business interests
- Create and help to sustain local employment
- No adverse impact to the local landscape
- Some smaller tourist sites, like this one may have to be found satisfactory in terms of sustainability
- People attracted by the peace and quiet of these rural areas
- Cannot agree that it's been said the site is unsustainable due to its distance from the nearest services and facilities. Makes a comparison to the success of Eye Kettleby Lakes

A Cllr commented that the proposed 1 bathroom didn't seem enough for the 3 bedrooms which could potentially accommodate 6 adults.

The Agent agreed 6 occupants would be tight. 4 or 5 would be much more realistic, and suggested that the applicants would willingly look at this again in order to provide top quality facilities.

A Cllr queried the curtilage. The COU is within the red line. With cars and recreational space this seems very tight. Could it be considered to extend curtilage?

The Agent stated that they are encouraged to minimise anything that happens out in open countryside. The red line is more than 7m from the building. If deemed appropriate, and committee agreed, the applicants who own the whole plot, would be more that happy to extend to 10m or 15m.

The Agent added that the whole farm will be open to visitors, which is part of the appeal.

Cllr Holmes, Ward Cllr for Waltham on the Wolds, proposed to permit the application. The reasons given, that it encourages diversification, and would be sustainable due to the large number of footpaths surrounding the site. Plus its location so close to Scalford.

Cllr Cumbers seconded the proposal. With the suggestion that a condition be added to ensure use as a holiday let only.

A Cllr stated that this is the future for agriculture. The opportunity should be taken, as there are very few small farms and an increasing number of big units. The

support is needed in order to maintain income.

A Cllr expressed concerns regarding there needing to be a site specific reason for this being permitted otherwise it could be seen a lot more frequently. Also voiced concerns of how easily it could be turned into housing.

A Cllr stated that the site used to be recreational ground, and that is what it will be again if permitted.

A Cllr stated that this is not included on the application. No activities listed apart from walking.

A Cllr asked for clarification on the wording of proposed condition for non residential use.

The Assistant Director of Strategic Planning and Regulatory Services explains there is a set of conditions, rather than individual conditions that can be applied to these circumstances. a; Talk about it not being a principal dwelling and b; length of occupancy.

A Cllr stated that there is an unusual supply of local footpaths, making it good for walking.

A Cllr requested clarification from the Solicitor to the Council. If the holiday let wasn't successful due to its specific target customer. Would we turn the land back to its former use? Wouldn't support if application was for a home.

The Solicitor to the Council stated that a condition can be imposed. If owners wanted to revert to permanent dwelling then they would be required to apply to release that condition at which point application could be refused.

A Cllr asked what guarantee is there of it being a holiday let.

The Assistant Director of Strategic Planning and Regulatory Services stated that we would respond to suggestions raised that it's not being used as it should. This could potentially trigger inspection or enforcement.

The Solicitor to The Council states there could be a requirement that the owner supply details of occupancy. It could be conditioned that a register of occupancy is kept.

Cllr Holmes stated that she does not think that is necessary. It's just another part of their business. Genuine diversification which is what is encouraged.

Cllr Cumbers agrees that it is ideal. However it is the responsible thing to do, to protect the countryside. Suggestions for conditions are reasonable.

A Cllr stated we need to be careful, so the register is a good idea. They also urge the proposer to include as a condition.

Cllr Holmes agreed to include.

The Chair asked for confirmation on wanting to include the condition.

Cllr Cumbers agreed.

The Chair stated he cannot support, as it's against 3 policies. Not against principle, however it goes against the plan which would not be consistent.

A vote was taken. 5 members voted to permit the application and 4 voted against the proposal.

Determination: The proposal encourages Rural Diversification, and would be sustainable due to the large number of footpaths surrounding the site. Plus its location so close to Scaford.

PL41.2

18/00808/FUL

Applicant: Mr & Mrs and Hiranthi Cook

Location: Twyford House, 18 Tilton Road, Twyford, LE14 2HZ

Proposal: Erection of farm barn for cider apple storage and processing with general farm use, 105 metre long access track.

(a) The Development Manager (LP) stated that: The proposal seeks full permission to erect a barn for the storage and processing of apples for cider production on agricultural land to the west of Twyford, since the application has been submitted the location of the barn has been amended to be sited further away from residential dwellings and is now approximately 170 metres away from the nearest dwelling. Since the report was published members should note that one objection has been withdrawn and ecology have responded to the amended location and raise no objection.

There are no further updates and the application is recommended for approval subject to conditions as set out in the report.

(b) David Manning, the Agent on behalf of the Applicant, was invited to speak and stated that:

- Application is for a very small barn in comparison to most modern farm buildings
- Purpose is to store harvested apples, a crusher and storage tanks. Lean to for equipment
- Only traffic will be 10 x 7.5 tonne lorries per annum
- Planning conditions are perfectly ok except for time restrictions. I have discussed with the Case Officer to express concerns. Unfair and unnecessary, as the building is now 170m from nearest houses
- Noisiest operation will be crusher and taking into account the sound proofing of the barn; will be no louder than 50 decibels

The Development Manager added that with regards to the condition. They were applied as a result of previous noise details submitted that were not up to standard with Environmental Health. No further noise details have been submitted.

Mr Manning requested that now the location has moved, can this condition be removed.

The Development Manager stated that it is for the avoidance of doubt because we do not have any sound proof noise mitigation. When it was in the previous location the noise was not acceptable and from that it was suggested a condition would satisfy without further information being submitted.

A Cllr questioned whether the cider produced will be bottled locally, as the barn is for storage and processing.

Mr Manning stated there are several nearby places where it can be done. If added as a condition, he was sure the Applicants would be keen to agree.
A Cllr queried if a noise assessment was provided, could the condition be removed.

The Development Manager stated there is nothing stopping an application for a variation of condition or the removal of, and nothing stopping members removing the condition and/or adding a new condition requesting further information to be submitted.

A Cllr asked the Agent whether the applicants would consider that.

Mr Manning stated the applicants are under severe pressure to obtain planning permission as they have applied for funding. So was confident would be willing.

A Cllr asked whether there is water and electricity available to the site.
Mr Manning confirmed there is.

A Cllr pointed out that there are a number of objections, however believed they are not strong enough for refusal. Urges members not to remove the time condition, but to request the applicants resubmit.

A Cllr stated they cannot agree as agricultural processes rely on the weather which cannot be predicted. Urged members to look at this from an agricultural point of view.

Cllr Holmes proposed to permit. Excluding the restrictions of time. They won't be in full production for 4 to 5 years.

Cllr Baguley seconded the proposal, with the removal of condition 5 which is the timings.

A Cllr reiterated the noise details are substandard which is unfair on the neighbours. And urges members to refuse the proposal and accept what the officer

recommendations are, but to put it back to the Applicants to resubmit. Expresses fears neighbours will feel unprotected.

A Cllr sought clarification on the wording of the condition if it was to be out back on the applicant in terms of noise report.

The Assistant Director of Strategic Planning and Regulatory Services stated the condition is already there and applicants would need to reapply should they want to remove it. Or we can invite them to demonstrate security in noise terms before proceeding. Potentially a scheme to be submitted which we could then assess.

The Chair asked whether it could not be passed without condition but replace with a condition that says subject to. Giving permission provisionally.

The chair asks if members are happy to replace. Subject to and wholly dependant upon a satisfactory noise treatment plan being submitted.

A Cllr queried whether because the barn has been moved, is it as relevant as it is before.

The Assistant Director of Strategic Planning and Regulatory Services states this is what we need to find out.

A Cllr asked whether the conditions will affect the grant being permitted.

The Chair states If we grant then we grant.

Mr Manning states that permission, subject to any conditions is as good as no conditions.

A Cllr added that this will fit in nicely with the County wide food plan.

A Cllr stated they have no fear of noise issues. No loud equipment involved.

A Cllr stated that the orchard will not be in full production for 3 to 4 years so the condition regarding noise will not be relevant until then. They have plenty of time to submit report.

A Cllr asked who would decide if the noise details were satisfactory.

The Assistant Director of Strategic Planning and Regulatory Services stated it would be the Officer, along with Environmental Health. Unless members instruct us to bring it back to committee.

A Cllr stated the conditions must be fair and reasonable.

A Cllr stated he has all faith in officers to work with Environmental Health and is confident the applicants will cooperate. Neighbours deserve the protection. If all in, happy to permit.

The Chair summarised that members are happy to delete condition about hours and noise. Instead, replace with satisfactory noise treatment proposal scheme.

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

Determination: on balance, the proposed building and use within will contribute with the aims of supporting a rural economy and larger aims of allowing the borough of Melton to continue the food and drink service industry which it prides itself on as the 'Rural Capital of Food'.

PL42

Urgent Business

None

The meeting closed at: 7.00 pm

Chair