

# Minutes

<b>Meeting name</b>	<b>Planning Committee</b>
<b>Date</b>	<b>Thursday, 25 April 2019</b>
<b>Start time</b>	<b>6.00 pm</b>
<b>Venue</b>	<b>Pera Business Park, Nottingham Road, Melton Mowbray</b>

## Present:

**Chair** Councillor J. Illingworth (Chair)

**Councillors** P. Posnett (Vice-Chair) P. Baguley  
G. Botterill P. Cumbers  
P. Faulkner M. Glancy  
L. Higgins E. Holmes  
B. Rhodes

## **Observers**

**Officers** Assistant Director for Strategic Planning and Regulatory Services  
Development Manager (LP)  
Administrative Assistant (KS)

<b>Minute No.</b>	<b>Minute</b>
PL80	<p><b>Apologies for Absence</b>  Cllr Bains, who was substituted by Cllr Higgins  Cllr Greenow</p>
PL81	<p><b>Minutes</b>  Minutes of the meeting held on 4th April 2019.</p> <p>A Cllr wished for the spelling mistake of 'compliant' to be corrected,, and for 'and permitted' to be deleted from 'A Cllr stated that if it wasn't for the applicant being a Member then it would be a delegated decision and permitted' on page 13.</p> <p>Approval of the minutes was proposed by Cllr Faulkner and seconded by Cllr Baguley. It was unanimously agreed that the Chair sign them as a true record.</p>
PL82	<p><b>Declarations of Interest</b>  Cllr Rhodes declared an interest in matters which may arise in relation to the County Council, particularly a prejudicial interest in Item 6 which relates to the S106 and stated that he would leave the meeting.</p> <p>Cllr Posnett declared the same as Cllr Rhodes.</p>
PL83	<p><b>Schedule of Applications</b></p>
PL83.1	<p><b>18/00200/REM</b>  <b>Applicant: Jelson Ltd:- Rob Thorley</b>  <b>Location: King Edward VII Upper School, Burton Road, Melton Mowbray</b>  <b>Proposal: Proposed construction of 120no. residential dwellings plus associated highway infrastructure and car parking provision. Reserved Matters to include Access, Appearance, Layout and Scale - Landscaping subject to subsequent separate application. (Outline application - 13/00877/OUT)</b></p> <p>(a) The Development Manager (LP) presented the report and stated that:  The application seeks approval of the reserved matters application following the granting of application 13/00877/OUT located for development of 12 dwellings as MEL2 within the adopted Local Plan. Following on from committee site visits there are a number of updates, The density of the development is 24 per hectare.  Materials have been conditioned to be submitted as part of the outline permission however the agent has confirmed that they would look to use predominantly traditional red brick and tile to reflect the retained school buildings.  The footpath link was the subject of an application a few years ago to make it a formal public right of way. This went to appeal at which an</p>

inspector rejected the application because use had been permitted and controlled in association with the school, not by right of way. The agent has confirmed that the proposal is to re-open the link once development is complete and this was also a requirement specified by the Council and forms condition 20 of the approved outline application

The housing mix has been confirmed at 30 affordable units of which 18 are for rent and 12 for shared ownership of which up to 6 may be discount market units. The concentration of affordable units have been broken up and re-distributed as part of amendments made during the application process.

3 additional objections have been received since the publication of the report which raise concern over the felling of trees, housing mix, location of bungalows, loss of privacy, noise from pumping station and the pedestrian link to meadow way, these points are all considered within the report. It is considered that the development brings forward a reasonable mixture of housing which would contribute to identified needs and provides 30 affordable homes, the proposal is one that is allocated for housing in the Local Plan and therefore is recommended for approval.

(b) Helen Glancy, an objector, was invited to speak and stated that:

- Security concerns
- Queries on maintenance
- Fly tipping, anti-social behaviour concerns if woodland is accessible
- Sewer concerns
- Wildlife concerns

A Cllr asked what wildlife is present in the woodland.

Ms Glancy stated that there are foxes, squirrels, birds, pheasants, among others.

A Cllr asked if this was a bad area.

A Cllr clarified that there had been occurrences of anti-social behaviour in the past and this may return with open access.

The Development Manager stated that condition 7 requires fencing for security. Majority of the trees will be retained, and there will be a removal of poor species which will be replaced. The location of the pumping station has been driven by the position of the existing sewer and will be largely screened.

The Assistance Director of Strategic Planning and Regulatory Services stated that access will be restricted by fencing. The sewer essentially denotes a 'no build zone', and the maintenance of the site will be undertaken by a management company.

(c) Rob Thorley, the applicant, was invited to speak and stated that:

- Allocated land

- Sustainable brownfield site
- Restoration of school buildings
- Currently derelict and decaying
- Bungalows incorporated into scheme
- Mix of units including affordable housing
- Complies with Local Plan
- In keeping with area
- Woodland will be fenced off and bounded by gardens
- Management company will maintain

A Cllr asked if the woodland will be completely fenced off or if someone will have access.

Mr Thorley stated that access will be given for maintenance and the local nursery will be able to use it for educational purposes, but otherwise there will be no access.

The Chair stated that he didn't want the maintenance of the site to be forgotten about.

A Cllr asked if the footpath will be open.

The Development Manager explained that the change of ownership will allow the footpath to be reintroduced.

A Cllr had concerns that the footpath was closed due to anti-social behaviour and this may occur again.

A Cllr asked what materials would be used and if they would reflect the school buildings.

The Development Manager stated that a condition for materials is to be submitted.

A Cllr stated that it is a shame to lose the field for recreational purposes and another space needs to be found for this in the south of Melton.

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

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

A vote was taken. It was unanimously decided that the application be permitted.

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

**REASONS:** The proposed development is considered acceptable and within the parameters established at the outline stage. The proposal would secure a high standard of design and ensure satisfactory amenity for future and existing occupiers. The proposal is considered to comply with the Local Plan policies and

principles of the NPPF.

PL83.2

**18/01479/OUT**

**Applicant: Richard, Peter and Gill Kendall**

**Location: Sandy Croft, 31 Sandy Lane, Melton Mowbray**

**Proposal: Residential development of up to 12 dwellings on land to rear of 31 Sandy Lane, Melton Mowbray**

(a) The Development Manager (LP) presented the report and stated that:

The application seeks outline planning permission for up to 12 dwellings, the only item for consideration at this stage is access to the site which is served by an existing access onto Sandy Lane.

The site is partially brownfield land currently hosting garages, to which the leases have since expired.

The application site is in a sustainable location within the Town and would provide a housing mix of mostly smaller 2 and 3 bed dwellings along with the provision of bungalows and therefore is recommended for approval subject to Section 106 contributions and conditions as set out in the report.

(b) David Hargrave, an objector, was invited to speak and stated that:

- Objections submitted to indicative plan
- Should be a reduction of properties and redesign of layout
- Site suits single storey buildings
- Protect environment and quality of lives
- Loss of amenities
- Overbearing
- Japanese Knotweed issues – this needs to be eradicated

(c) Richard Cooper, the agent, was invited to speak and stated that:

- Site hidden from view
- Maintenance too excessive for owners
- Complies with Policies SS1 and SS2
- Sustainable travel links
- Unallocated land
- No objection from technical consultees
- Mixture of dwellings
- Existing perimeter screening retained
- Existing access reused
- Pedestrian access
- Bus stop retained
- Design will be developed at Reserved Matters
- S106 contributions

A Cllr asked if the developers will make sure DEFRA treat the Japanese Knotweed properly.

Mr Cooper stated that it would be dealt with before the land is sold.

A Cllr asked if amenity land would be provided, as 10+ houses need amenity land.

Mr Cooper stated that the development is for houses, however there will be an improved ecology strip. There is scope for amenity land.

A Cllr stated there would be parking to accommodate 31 Sandy Lane, and asked how many beds this is.

Mr Cooper stated it is a 3 bed dwelling.

A Cllr asked if there was a pond on the site.

Mr Cooper stated there is but it was not visible during the site visit.

A Cllr stated that it is a viable site with substantial plots, and asked if affordable housing could be secured.

The Assistant Director for Strategic Planning and Regulatory Services explained that it could be inserted into the S106.

A Cllr asked if a condition for amenity land could be considered.

The Assistant Director for Strategic Planning and Regulatory Services explained that this would need to be an amendment to the proposition.

A Cllr stated that they were in favour of the development but had concerns on the houses facing Victoria Street. Car parking is an issue and this could worsen it.

A Cllr stated that the development might not need to be up to 12 dwellings and does not need to come onto Victoria Street.

**Cllr Holmes proposed to permit the application** and instructed that the subsequent 'reserved matters' application is presented to Committee for determination details. Conditions should be added to ensure there is sufficient car parking, amenity land, affordable housing and materials.

**Cllr Cumbers seconded the proposal to permit** and added that it is a good use of land.

A vote was taken. It was unanimously decided that the application should be permitted.

**Determination:**

- (a) PERMIT, in accordance with the conditions set out in the report;**
- (b) That the reserved matters application subsequent to this permission are determined by the Planning Committee (rather than under**

delegated powers).

**REASON:** A finalised layout for up to 12 dwellings could be agreed at reserved matters stage that would not have any significant amenity or design impacts with regards to Policies SS1, SS2, D1 and C2 of the Melton Plan 2011-2036 and the proposed development is considered to be acceptable in principle.

PL83.3

**18/01011/REM**

**Applicant:** Bellway Homes:- Sally Smith

**Location:** Fair Farm, 33 Melton Road, Waltham on the Wolds

**Proposal:** Approval of reserved matters application for the erection of 60 new dwellings including new access, public open space, landscaping, play area and associated infrastructure

(a) The Development Manager (LP) presented the report and stated that:

The application was deferred at the Committee meeting of 4<sup>th</sup> April to enable a meeting between the applicants with the Ward Councillor and Parish Councillor facilitated by herself and Chair of the Committee.

The meeting was held on 16 April 2019 and as set out in the report the use of stone on the dwellings has increased from 12% to 33% and has been spread around the site.

This has ensured that the proposal meets the design requirements of both the local and neighbourhood plan and the application is recommended for approval as set out in the original report.

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

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

A vote was taken. It was unanimously decided that the application be permitted.

**Determination: PERMIT, in accordance with the recommendations of the report.**

**REASONS:** The increase in the use of stone will ensure that the proposal shows a greater reflection to the village as a whole and will further ensure its assimilation to the existing built form. The increase in the use of stone ensures that the proposal meets the design requirements of both Melton Local Plan and Waltham on the Wolds and Thorpe Arnold Neighbourhood Plan.

PL84

**Tree Preservation Order Ref: 151/909/6**

**Location:** Land Adjacent to 27 Main Street, Branston

(a) The Development Manager (LP) presented the report and stated that:

The purpose of the report is for members to determine whether or not to confirm the provisional TPO at Land adjacent to 27 Main Street Branston. There has been one letter of objection to the proposal and additional information from western power who have reported back that the trees are acceptable in situ and western power will still undertake associated works

needed.

The recommendation is that the committee confirm the provisional TPO.

**Cllr Botterill proposed to confirm the TPO.**

**Cllr Baguley seconded the proposal**

A vote was taken. It was unanimously confirm the TPO.

**Determination: the provisional TPO was confirmed.**

The Provisional TPO is confirmed to allow for the recommended staged removal of ivy, followed by further inspection. Should removal of the trees still be proposed, submission of a detailed application for the removal of the trees can then be submitted which should include justification and evidence of the reasons for the proposed works.

PL85

**13/00877/OUT: King Edward VII Upper School, Burton Road, Melton Mowbray**  
Cllrs Rhodes and Posnett left the meeting at 7.07pm.

**Applicant: Leicestershire County Council:- Mr David Berry**

**Location: King Edward VII Upper School, Burton Road, Melton Mowbray**

(a) The Development Manager (LP) presented the report and stated that:

The purpose of the report is for members to determine whether or not to vary the section 106 agreement to alter the level of affordable housing provision from 40% to 25% (30 units) and the addition of a new financial contribution of £432,650 towards the Melton Mowbray Distributor Road. The request has arisen due to the adoption of the Melton Local Plan in which Policy C4 sets out a variable requirement for affordable housing dependant on the 'value area' in which a site falls.

Should the proposal have been submitted as a fresh planning application MBC would look to seek between 5 and 10% affordable housing on this scheme along with a financial contribution to Leicestershire Highway Authority, therefore the recommendation is to approve the Deed of Variation.

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

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

A Cllr stated that more affordable housing was needed in Melton and proposed that there should be 6 starter homes and 6 intermediate.

The Chair stated that he was happy to incorporate this.

A Cllr stated that every house should have solar panels to be cheaper to run.

The Assistant Director of Strategic Planning and Regulatory Services explained



that Policy C3 states the need to follow the Housing Needs Study. 15/16/17% is an appropriate proportion for starter homes. In response to the solar panels, this policy was attempted to be incorporated into the Local Plan but was diluted and pitched as aspiratory.

A vote was taken. It was unanimously decided that the application be permitted.

**Determination: vary the s 106 currently in place to:**

- (i) The alteration of the level of affordable housing provision from 40% to 25% (30 units); and**
- (ii) The addition of a new financial contribution of £432,650 towards the Melton Mowbray Distributor Road**

The amendments have been requested as a result of the adoption of the Melton Local Plan bringing a change in policy and the consideration of contributions It is therefore considered expedient to agree to this amendment and avoid the need for a further Section 106 application and the associated administration.

Cllrs Rhodes and Posnett returned to the meeting at 7.17pm.

PL86	<b>Urgent Business</b> Cllr Baguley stated that there is a need to plant more trees in developments.
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The meeting closed at: 7.23 pm

Chair