

Minutes

Meeting name	Planning Committee
Date	Thursday, 3 September 2020
Start time	6.00 pm
Venue	By remote video conference

Present:

Chair Councillor M. Glancy (Chair)

Councillors P. Posnett MBE (Vice-Chair) R. Bindloss
R. Browne P. Chandler
P. Faulkner A. Hewson
L. Higgins E. Holmes
M. Steadman D. Pritchett

Officers Assistant Director for Planning and Delivery
Legal and Governance Manager (Legal Officer)
Democratic Services Manager
Planning Development Manager
Planning Technician
Democratic Services Officer (CR)

Minute No.	Minute
	<p>Chair's Introduction</p> <p>The Chair welcomed everyone to the Planning Committee meeting. She introduced Members and Officers as well as referred to the public speakers who would be speaking on individual applications.</p> <p>It was confirmed that all Members present could hear and see the proceedings and Members could also see the Chair and each other. The Chair explained that Members would use the functionality of the software to raise their hands to speak and each Member would be asked in turn for their vote at the appropriate time.</p> <p>The Chair explained that should the remote conferencing connection be lost there would be an adjournment. She advised that the meeting would be recorded and live-streamed on You Tube.</p>
PL51	<p>Apologies for Absence</p> <p>An apology for absence was received from Councillor Wood. Councillor Pritchett attended as his substitute.</p>
PL52	<p>Minutes</p> <p>The minutes of the meeting held on 6 August 2020 were confirmed and authorised to be signed by the Chair subject to the following amendment:</p> <p><u>Minute PL42 : Application 20/00102/FUL - Former Southfields Farm, Church Lane, Somerby</u></p> <p>'Speaking as Ward Councillor on this application, Councillor Higgins said that</p> <ul style="list-style-type: none"> • receipt of voluntary contributions to affordable housing from the developer was welcomed. • concerning emergency services, there had been engagement with the local Fire Service who had responded accordingly. • objectors had raised concerns about the volume of traffic to the site and in response the applicant had reduced the number of houses from 12 to 10.'
PL53	<p>Declarations of Interest</p> <p>Councillor Posnett declared a personal interest in any matters relating to the Leicestershire County Council due to her role as a County Councillor.</p> <p><u>Application 19/01302/FUL – Land west of Main Street, Stathern</u></p> <p>Councillor Steadman confirmed that she would be representing her ward on this application by making a representation to the Committee. She would therefore leave the meeting during debate and not vote on this item in accordance with the Council's Procedure Rules.</p>

Application 19/01302/FUL

Reference:	19/01302/FUL
Location:	Land west of Main Street, Stathern
Proposal:	Demolition of agricultural buildings and the erection of 74 dwellings, together with access into the site from Main Street, and open space, landscaping and drainage infrastructure.

(Councillor Steadman declared her intention to speak as Ward Councillor on this application and here left the Committee and moved into the public speaking gallery.)

The Assistant Director for Planning and Delivery addressed the Committee and provided a summary of the application. He updated the Committee on a further 24 objections to the application, received from local residents. These concerns had previously been made by other residents and had been detailed in the report.

The Assistant Director for Planning and Delivery further updated the Committee concerning Section 106 Agreements in respect of the application:

- Leicestershire County Council had revised their request for education from just under £500k to £513k (£306k in respect of Stathern Primary and £207k for Belvoir Academy in Bottesford). The revised education contributions were accepted by the applicant.
- Further representation had been received from the War Memorial Institute, reiterating that it considered the calculations of contributions should be based on the growth of the village, rather than the proportion of the village (as concluded in the report) and the applicant had agreed to this.
- The applicant had confirmed they would meet the request for the bridge to Valebrook Road, which had a revised value of 10k, providing it meets CIL regulation requirements.
- The applicant had agreed a proportionate approach (£6k contribution) in respect of play equipment on the development.

The Assistant Director for Planning and Delivery clarified details of the application as follows:

- The junction allowed visibility of traffic approaching from Mill Hill (paragraph 5.7.2 of the report).
- The suggested traffic calming measures (paragraph 5.7.2 of the report) contained a direct quote from the Highways Authority (HA) and the related recommendation at paragraph 14 of Appendix C could be made more robust, providing this was accepted by HA.
- The Parish Council had advised they had evidence of speeding in the village, which the Assistant Director for Planning and Delivery was yet to

review. He highlighted that this does not assist towards the case to ask the applicant to mitigate speeding if it was already a problem.

- Although not reinforced in the recommendations at Appendix C, the applicant had agreed to a northern buffer (bordering Valerook Road and Swallows Close) to protect the area from the impact of development and pollution etc. and sloping the land in the north-west corner of the site away from the properties in Farrier Way, in order that water would flow away from properties.
- The Assistant Director for Planning and Delivery had viewed the applicant's draft plan for plot 8, which showed a minor increase in the amount of separation distance to number 2 and 3 Walnut Close. He invited the Committee to give a delegation (in respect of plots 7 and 8, as semi detached properties) to deal with this issue if necessary.

It was noted that the War Memorial institute had offered 'as a fall back, a revised request of £92,400 iif contributions were limited to the extension costs only...' The applicant had accepted this with great reluctance.

It was noted that the public parking area at the entrance to the site could be used as a school drop off and pick up point.

Pursuant to Chapter 2, Part 9, Paragraphs 2.8-2.28 of the Council's Constitution in relation to public speaking at Planning Committee, the Chair allowed the following to give a 3 minute presentation:

- Councillor Kenneth Bray, Stathern Parish Council

In response to Member questions, Councillor Bray responded that

- There were opportunities to improve the proposed car parking at the development (particularly for the 3 and 4 bed houses on the main street). Parking spaces could be at the park or alongside the properties, rather than in tandem. Municipal change the orientation to break it up a little. Using a small area of green space for designated parking was preferable to vehicles parked on grass.
- The proposed housing mix could be improved with 2 more bungalows and 2 less 4 bed houses.
- Lisa Leathborough, Objector

In response to Member questions, Ms. Leathborough responded that

- The there had been no verbal communication with the applicant or the agent.
- She had received 2 emails from the agent, an artist's impression of the far end of the development and confirmation that the hedges bordering the municipal carpark opposite her land would be native hedgerow
- She had received responses from the Assistant Director for Planning and

Delivery, confirming issue raised would be looked into.

- Specific questions in relation to screening, mitigation or alternatives to the housing mix and proposed location of properties had not been answered.
- She had raised concerns in relation to the pumping station and the agent had confirmed that she would be able to discuss this with a representative for the applicant.

- Guy Longley, Agent, Pegasus Group

In response to Member questions, Mr. Longley responded that

- The option the Assistant Director for Planning and delivery referred to above concerning plots 7 and 8 would involve a recommendation to replace with a single bungalow to allow a slight adjustment away from the boundary of 2 walnut close.
- The applicant had a strong reputation for designing developments which were well suited to the surrounding area. This application was low density and appropriate to the location.
- The applicant had worked closely with the Parish Council and Ward Members on an acceptable development. Recent discussions had been productive and there was scope for some amendments to proposals.
- Concerning compliance with ENI on Phase 117 of the Local Plan. The proposed properties were modern and energy efficient. The provision for wiring in lofts for solar panels, power in garages to charge electric vehicles etc. could be subject to a condition.
- There may be scope for adaptability subject to planning permission (eg loft conversion on 2 bed properties).
- Of the 74 properties on the proposed development, 12 were subject to tandem parking (7 of those being on the main street). This parking solution could work well. A number of visitor spaces had also been included in the proposed development.
- The applicant held that the proposed development was acceptable. There had been an ongoing dialogue with the Parish Council, which had helped identify concerns and scope for minor adjustments to the proposed development.
- The applicant questioned the necessity of connectivity (footpaths and footbridges) in relation to this development but would make a contribution to such a scheme if the Parish Council wished to implement this.
- The Local Plan inspector had advised that the number of properties at the development would be addressed through detailed application. This was a low density development at 22 properties per hectare.
- Detailed modelling along the northern boundary of Brook Close had been undertaken and flooding would not be a constraint, as perceived at the local plan stage.
- There were various options for traffic calming measures and the applicant had indicated their willingness to make a contribution to this. Details of those measures were subject to discussion and agreement. A gateway

feature could be a sensible and appropriate solution.

- Councillor Mel Steadman, Ward Councillor

In response to Member questions, Councillors Steadman and Evans responded that

- As Ward Councillors, they had worked with the Parish Council to identify compromises to suggest to the applicant (eg to space out the parking around the affordable homes to provide a more rural feel, to mitigate some of the concerns raised by Ms. Leatherborough etc.)
- This was a significant development increasing Stathern by almost a third over 5 years.
- Deferral of this application was preferable. The suggestion (above) of a bungalow at Plots 7 and 8 needed to be submitted to this Committee for appropriate consideration.

Concerning housing mix, the Assistant Director for Planning and Delivery advised that 15% 4 bed properties was desirable but not prescriptive within Policy C2 and the 27% of 4 bed properties at the proposed development was not considered sufficient reason for a refusal when considered alongside all other issues..

The Assistant Director for Planning and Delivery advised that the affordable housing was intended to make provision for the overall supply and the mix proposed was in line with the wider supply in addition to the needs of Stathern.

The Assistant Director for Planning and Delivery clarified that if there were a number of issues to be agreed or a wholesale redesign of the development, a permit or a deferment would not be appropriate, rather the application should be refused and a new application, which included amendments should be submitted.

During discussion the following points were noted:

- Members thanked Ward Councillors for their considerable efforts towards solutions to concerns raised on the application.
- Members highlighted concerns over the housing mix and configuration, car parking and mitigation of flooding and traffic.
- The report highlighted that Building Control had raised possible issues concerning shared drives, which may not be in accordance with fire and waste collection requirements. These issues should be resolved before submitting the application for consideration.
- The applicant had advised there was scope for minor amendments but specific detail of the changes was needed.

Councillor Holmes proposed that the application be refused on the basis that the application was contrary to Policy D1 relating to the impact to neighbouring properties and inadequate design. Councillor Chandler seconded the motion.

During discussion on the motion to refuse the following points were noted:

- The Council had a good working relationship with the applicant.
- Severn Trent, the Environment Agency and the lead food authority had not raised objections to the application.
- Housing configuration was a matter of taste and parking was not a strong reason for refusal.
- The application provided a good settlement for the community but concerns needed to be addressed. There should have been meaningful engagement with residents at the start.
- There was a risk of Appeal if the application was refused and this may result in withdrawal of the applicant's contribution offers for the Village Hall, the bridge, school car parking spaces etc.
- Members wanted more detail concerning the bungalow, proposed to replace plots 7 and 8 and on recently submitted figures for S106 contributions.
- Members agreed that they would like to consider a revised application, which addressed the concerns raised.
- A specific list of revisions should be identified if Members wished to defer the application.
- S106 contributions in respect of transport and education would be considered as part of a revised application.

Councillor Holmes withdrew the proposal to refuse with the agreement of the seconder.

Councillor Holmes proposed to defer the application, in order for the applicant to work with Ward Councillors on revisions to housing configuration, car parking and developer contributions to comply further with Policy D1 of the Local Plan. Councillor Chandler seconded.

RESOLVED that, contrary to the officer recommendation,

Application 19/01302/FUL be **DEFERRED** for the following reasons

In order for the applicant to work with officers and the Ward Councillors to look at the following points

- Reconfiguration of Plot 8
- 3 Car tandem parking
- Extent of Buffer Zone and impact on Car Parking
- A contribution towards connecting bridge
- A contribution to the Village Hall
- Reconfiguration of specific Maisonette housing

In order to comply with Policy D1 of the Adopted Melton Local Plan

(Unanimous)

(Councillor Steadman here re-joined the Committee.)

PL56

Application 20/00823/FULHH

Reference:	20/00823/FULHH
Location:	42 Avon Road, Melton Mowbray
Proposal:	Proposed two storey front, rear and side extensions to form annex and additional single storey extension to the front of existing dwelling.

The Assistant Director for Planning and Delivery addressed the Committee and provided a summary of the application.

It was confirmed that the presentation slide showing the previous (refused) and application side elevation of the 42 Avon Road, also showed 30 Derwent Drive.

Pursuant to Chapter 2, Part 9, Paragraphs 2.8-2.28 of the Council's Constitution in relation to public speaking at Planning Committee, the Chair allowed the following to give a 3 minute presentation:

- Chris Ward, Objector

In response to Member questions, Mr. Ward advised that

- Attempts to compromise had been made via a letter to the applicant on the previous application and on this application. His suggestion to move the side boundary of the proposed extension away from his retaining wall (which would likely remove his objection to this application) had been declined.
- For the purpose of maintaining his retaining wall he has the right to access the applicants property.
- The proposed extension would preclude future repair and maintenance of the retaining wall.

The Legal Officer advised that the retaining wall was not a material planning consideration. She highlighted that all material planning considerations were detailed in the report.

- Julie Abrames, Applicant

In response to Member questions, Ms. Abrames advised that

- Advice from a structural engineer confirmed that the proposed extension could be could be constructed and maintained without need to access Mr Ward's property (30 Derwent Drive).
- The proposed extension would enhance her family life. It would provide room to accommodate her mother who required much assistance, enabling

her to receive better care and more time to be spent as a family. It would provide a bedroom for her nephews, who regularly stayed with her for respite taking the property from a 3 bed to a 4 bed).

- The minimum 1 way travel time from her property to her mother's property was 10 minutes but this journey was frequently longer due to heavy traffic.
- The proposed lift was in respect of an anticipated future need of her mother. There was no plan to engage carers and her mother would continue to receive care from her family.

In accordance with the Constitution, at 9 pm, there was a motion to continue the meeting beyond the 3 hour threshold and Members voted unanimously to continue the meeting.

The Chair read a statement on behalf of Councillor Wood, Ward Councillor.

The Assistant Director for Planning and Delivery advised that it was for Members to decide how much weight to attribute to the applicants personal circumstances against concerns over the design of the application.

During discussion the following points were noted:

- Members thanked officers for the comprehensive report.
- Members had great empathy for the applicant and her reasons for the application, noting that she had addressed previous concerns
- Members were not opposed to expansion of the applicant's property but were not satisfied that the application design was appropriate for the surrounding area.
- Safety concerns identified on the previous application (refused) were again raised in respect of this application, particularly in respect of the applicant's elderly mother and nephews (fire hazard, narrow path and being on a hill).
- It was noted that 44 Avon Drive was subject to the same size pathway, which was proposed in this application.
- The application was contrary to Policy D1 of the Local Plan in that it represented a large intensification of the size of the property.
- Members highlighted the need for dialogue between the applicant and Mr. Ward and encouraged the applicant to submit a further revised application.

Councillor Faulkner proposed to refuse the application due to impact on the neighbouring property, inadequate design and policy D1; the design not reflecting its surroundings. Councillor Glancy seconded the motion.

RESOLVED that, contrary to the officer recommendation,

Application 20/00823/FULHH be **REFUSED** for the following reasons
The proposed extension, by virtue of its width and mass would result in an adverse impact on the street scene and would not be sympathetic to the area It would fail to protect the amenities of neighbouring properties and would be contrary to policies D1 of the Adopted Melton Local Plan.

	(10 in favour, 1 abstention)
PL57	Urgent Business There was no urgent business.

The meeting closed at: 9.15 pm

Chair