

# Minutes

<b>Meeting name</b>	<b>Planning Committee</b>
<b>Date</b>	<b>Wednesday, 9 December 2020</b>
<b>Start time</b>	<b>6.00 pm</b>
<b>Venue</b>	<b>By remote video conference</b>

## 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 P. Wood

**Officers** Assistant Director for Planning and Delivery  
Planning Development Manager  
Locum Planning Solicitor  
Democratic Services Manager  
Democratic Services Officer (SE)

Minute No.	Minute						
PL72	<p><b>Apologies for Absence</b> There were no apologies for absence.</p>						
PL73	<p><b>Minutes</b> The minutes of the meeting held on 12 November 2020 were confirmed and authorised to be signed by the Chair.</p>						
PL74	<p><b>Declarations of Interest</b> 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>Minute PL76 : 20/01095/FUL – Tofts Hill, Stathern</u> 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>						
PL75	<p><b>Schedule of Applications</b></p>						
PL76	<p><b>Application 20/01095/FUL</b></p> <table border="1" data-bbox="288 1095 1430 1267"> <tr> <td data-bbox="288 1095 496 1137"><b>Reference:</b></td> <td data-bbox="496 1095 1430 1137">20/01095/FUL</td> </tr> <tr> <td data-bbox="288 1137 496 1180"><b>Location:</b></td> <td data-bbox="496 1137 1430 1180">Fields OS 5000 And 5812, Tofts Hill, Stathern</td> </tr> <tr> <td data-bbox="288 1180 496 1267"><b>Proposal:</b></td> <td data-bbox="496 1180 1430 1267">Demolition of redundant barns and their replacement with a single dwelling house (Class C3)</td> </tr> </table> <p>(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.)</p> <p>The Planning Development Manager addressed the Committee and provided a summary of the application and summarised that the recommendation was for refusal.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• Kenneth Bray, Stathern Parish Council</li> </ul> <p>In response to a Member question on whether the village would accept the existing barns falling into disrepair and how would this affect the landscape. Mr Bray responded that the barns were currently not in disrepair and were part of the landscape.</p>	<b>Reference:</b>	20/01095/FUL	<b>Location:</b>	Fields OS 5000 And 5812, Tofts Hill, Stathern	<b>Proposal:</b>	Demolition of redundant barns and their replacement with a single dwelling house (Class C3)
<b>Reference:</b>	20/01095/FUL						
<b>Location:</b>	Fields OS 5000 And 5812, Tofts Hill, Stathern						
<b>Proposal:</b>	Demolition of redundant barns and their replacement with a single dwelling house (Class C3)						

The Legal Advisor added that the local authority could serve notice if the condition of the of a building had a harmful effect on the surrounding area.

A Member pointed out that although the village had the view of Tofts Hill, it did not own the area.

- Rob Hughes, Hughes Planning

There was a Member query as to potential for more than two vehicles using the forecourt. Mr Hughes responded that it could take additional vehicles should this be needed in the future. He referred to the forecourt as a turning area so that vehicles could drive in and out forward facing and there were no highway issues raised.

A Member asked how the development could bring economic and other benefits to Stathern above and beyond any other development. Mr Hughes responded that it would contribute to economic investment to the Council as well as create jobs in the construction phase, contribute to Council tax, use of the village school and being a part of the local community, save on commuter travel as the applicant already lived in Stathern and there were wider economic benefits too.

- Councillor Steadman, Ward Councillor

At a Member's request, the Planning Development Officer recapped on the presentation and development proposals.

During discussion the following points were noted:

- Should the development be exceptional, how would the Council view the application in light of previous appeal dismissals. It was noted that the Committee could only consider the proposal before them. Also the category of a building of exceptional quality was one which was of outstanding or innovative design which would significantly enhance the local area. A Councillor felt this design enhanced the local area more than what was there however the Legal Advisor disagreed and considered the application did not meet the exceptional development criteria
- There was mention of light intrusion and the impact of domestication and urbanisation of the site on the village
- It was noted that agricultural barns could be distracting and become an eyesore on the landscape and there was a balance to be made on saving the barns or the landscape
- It was felt the design and landscaping were good but the development was in the wrong place and it did not conform to Local Plan policies
- If the design was less domesticated with natural wood buildings and materials, it may blend better into the surroundings
- Concerned at the domestication of the site
- The history of the site was mentioned in that there had been 2 appeal

dismissals and this particular development and site did not meet the policy conditions

Councillor Browne proposed the recommendations in the report and Councillor Chandler seconded the motion.

**RESOLVED that**

**Planning application 20/01095/FUL be REFUSED for the following reasons:**

**1. In the opinion of the Local Planning Authority the proposed development Planning Report 20/01095/FUL - Field OS 5000 And 5812, Tofts Hill, Stathern would result in the introduction of residential development that would occupy a detached location outside of the built up confines of Stathern. The site is adjacent to the Conservation Area and contributes to the rural setting of the village of which the introduction of residential development and associated paraphernalia, by virtue of its scale, form and mass, would disrupt. As such, the proposal would have adverse impacts upon the character of the local area, wider landscape and Conservation Area. For these reasons, the proposal is considered to conflict with Policies EN1, EN6 and EN13 of the Melton Local Plan and as such would not represent a form of suitable windfall residential development as stated in Policies SS1 and SS2 of the Melton Local Plan.**

(Unanimous)

(Councillor Steadman here re-joined the Committee.)

PL77

**Application 20/00394/OUT**

<b>Reference:</b>	20/00394/OUT
<b>Location:</b>	Field OS 5629, From A606 Nottingham Road To Holwell Lane, Melton Mowbray
<b>Proposal:</b>	Rural workers dwelling and secure workshop storage building (outline - all matters reserved)

The Development Planning Manager addressed the Committee and provided a summary of the application. She advised that the application was recommended for refusal.

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:

- Jason Tearne, Applicant

In response to Member queries on how long the applicant intended to run the business from the location, how it would enhance employment and growth in the area other than for him and his family, Mr Tearne responded that he intended to

remain there for 30 years and recruit staff to pass on skills and experience to enable the business to grow and continue.

Mr Tearne also advised that security had been an issue and he needed to live on site to protect his plant and equipment.

- Councillor Orson, Ward Councillor

Councillor Orson spoke in support of permitting the application and felt it was important to support business growth in the rural areas.

The Planning Development Manager referred to relevant policies especially on the question of a work related dwelling and it was felt this application did not meet policy D3 nor was security of the site a criteria in determining whether a dwelling was needed on a site. She also referred to the report which explained the reasoning for the recommendation and advised that Members needed to add weight to their concerns and balance these against the policies.

During discussion the following points were noted:

- It was considered that rural businesses should be supported and policies reviewed to accommodate these with an understanding for a tied dwelling if required to help with security and sustainability
- There was other Member agreement to support accommodation on site with flexibility on any tie to the dwelling so that the applicant was not financially penalised should they need to diversify arrangements
- The Planning Development Manager advised that a suitable condition to reflect Members' wishes could be included
- It was noted that rural crime was an issue for farms and rural businesses and insurance premiums were high if there wasn't enough security in place
- The historic logging and hedge laying skills presented in the application were essential to retain and pass on to future generations
- It was noted this was not an agricultural business and conditions around the dwelling should be varied accordingly
- It was considered a noisy business which was best placed in the open countryside so as not to interfere with neighbour amenity and should be supported
- It was considered a profitable and sustainable business that would enhance the rural economy and be there for years to come
- It was felt the application did meet policy D3 and was supported by the NPPF and the Local Plan
- It was noted that the application met NPPF 83B and 84 and it was important to reflect on the bigger picture ie. with a possible recession looming due to the pandemic, there would be a need to develop and plant woodland, plan biodiversity and upskill the younger generation.
- This business was more sustainable than most and supported the rural economy

- The Legal Advisor considered the application did not comply with policy D3
- In the event that should Members be minded to approve the application, it was noted that conditions which might be appropriate had been circulated to Members prior to the meeting
- There was discussion on the content of a condition in relation to occupation and the following was agreed with the Planning Development Manager:

'The occupation of the dwelling be limited to a person solely or mainly working on or within the adjacent business site (business name)'.

Councillor Chandler proposed to approve the application against the officer recommendation to encourage the rural economy, rural business and rural craft, expansion of the rural economy, maintaining an existing business and existing residential nature of the site, in accordance with Policy D3 of the local plan and NPPF 83B and 84. Also due to the local nature of the existing business in a built up area of a residential development and subject to conditions 1-7 as previously circulated and set out below including condition 7 specifically to read as follows:

*'The occupation of the dwelling be limited to a person solely or mainly working on or within the adjacent business site (business name)'.*

Councillor Faulkner seconded the motion.

**RESOLVED that contrary to the Officer recommendation,**

**Planning application 20/00394/OUT be APPROVED subject to conditions including the following :**

***'The occupation of the dwelling shall be limited to a person with responsibility for the day to day management, solely or mainly working, or last working, in the adjacent tree surgeon business site (or a widow or widower of such a person, and to any resident dependants).'***

(Unanimous)

PL78	<p><b>Urgent Business</b> There was no urgent business.</p>
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The meeting closed at: 7.50 pm

Chair