

Minutes

Meeting name	Planning Committee
Date	Thursday, 4 February 2021
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	P. Wood

Observers

Officers

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

Minute No.	Minute
PL79	<p>Apologies for Absence</p> <p>There were no apologies for absence although it was noted that Councillor Chandler was having internet connection difficulties and was not present at this point.</p>
PL80	<p>Minutes</p> <p>The minutes of the meeting held on 9 December 2020 were confirmed and authorised to be signed by the Chair.</p>
PL81	<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>Minute PL83 – 19/00807/FUL - Belvoir Cricket Club, Harston Lane, Knipton</u></p> <p>Councillor Steadman declared a personal and non-pecuniary interest in this application due to taking part in a syndicate shoot at Belvoir which she felt could be considered to affect her decision-making. She would therefore leave the meeting during debate and not vote on this item.</p> <p>Following Monitoring Officer advice, Councillor Browne declared a personal and non-pecuniary interest in the above application due to being a keen cricketer and having taken part in matches at the Belvoir Cricket Club. He further advised his interest in cricket would not affect his decision-making on this application and as such would take part in the debate and vote on this item.</p> <p><u>Minute PL84 – 20/00593/VAC - Field OS 2713 and 2100, Longcliff Hill, Old Dalby</u></p> <p>Although he had no personal or pecuniary interest in this application, Councillor Higgins announced that he would not take part in this application in the interests of transparency as he had known the previous owner of the land and had stood down each time the application had been considered. Therefore he advised that he would leave the meeting during debate and not vote on this item.</p> <p>Councillor Browne declared a personal and non-pecuniary interest in the above application due to being socially connected with Councillor Orson who was the previous owner of the land and who had declared a disclosable pecuniary interest for this meeting. Due to this connection, he advised that he would leave the meeting during debate and not vote on this item.</p>

Minute PL85 – 20/00775/REM - Longcliffe Hill House, Longcliff Hill, Old Dalby

Councillor Browne declared a personal and non-pecuniary interest in the above application due to being socially connected with Councillor Orson who had declared a disclosable pecuniary interest for this meeting. Due to this connection, he advised that he would leave the meeting during debate and not vote on this item.

Councillor Higgins added that he did not consider he had a personal interest in this application due to the land in question being that which surrounded Councillor Orson's land.

Minute PL84 – 20/00593/VAC - Field OS 2713 and 2100, Longcliff Hill, Old Dalby

Minute PL85 – 20/00775/REM - Longcliffe Hill House, Longcliff Hill, Old Dalby

The Chair announced that Councillor Orson was not in attendance as Ward Councillor as he had a disclosable pecuniary interest in both the Old Dalby applications due to previous ownership of the land detailed in application 20/00593/VAC and that he owned surrounding land detailed in application 20/00775/REM. Following advice and in the interests of transparency, he would not therefore be making representations on behalf of the ward.

PL82 **Schedule of Applications**

PL83 **19/00807/FUL**

Reference:	19/00807/FUL
Location:	Belvoir Cricket Club, Harston Lane, Knipton
Proposal:	New Cricket Pavilion, car parking and ancillary buildings

(Councillor Steadman here left the meeting due to her personal interest declared at PL81 above.)

The Planning Officer (TE) addressed the Committee and provided a summary of the application.

(Councillor Chandler entered the meeting 3 minutes after the start of the Planning Officer's presentation and although she had no camera facility, she confirmed that she could hear the proceedings of the meeting and the Chair and Members were able to hear her therefore she was able to take part in the application.)

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:

- Peter Carr, Belvoir Parish Council

In response to Member questions

- as to why Bottesford had been mentioned as an alternative location for this facility, it was understood there had been an offer of land at Bottesford and for no other reason
- the cricket club had been on the site for 80-100 years
- the new facility would mean there would be more throughput of coaches and cars over a wider timespan, being 12 months of the year, which especially affected residents of Harston
 - James Brown, Rural Insight
 - Darren Bicknell, Belvoir Cricket and Countryside Trust

In response to Member questions, Mr Bicknell advised

- There were 92 car parking spaces in the proposal and these would mainly be used for Belvoir Bees on a Friday evening when 70-80 children attended with parents. The extra space would be there for when it was needed
- The cricket club had been there for approximately 100 years and was difficult to sustain with the current activities. The proposals would allow update and extend the current offering to enable more people to use the site including disabled people and women and girls. The club also worked with the Belvoir Estate in offering linked activities for visitors and this was available throughout the year
- Most people accessed the site by car but there were coach visitors too and the new car park would enable the coaches to wait on site rather than leave and return and reduce any waiting on neighbouring roads thereby reducing journeys and congestion
- There were no plans to use the venue for weddings. It was anticipated that all events would be related to the trust's aims
- Much of the success of the club was down to its unique and inspirational location and the access for visitors to the neighbouring Belvoir Estate, which allowed them to experience so many country pursuits including bird watching, orienteering, fishing, birds of prey and the hounds, therefore the club did not intend to consider other sites
- It would not be viable for the club to buy or rent land at another venue

The Planning Development Manager advised that alternative locations was not a material planning consideration and there was no need for the applicant to demonstrate an interest in other locations as part of this application.

During discussion the following points were noted:

- Members considered the balance between development, conservation and public benefit
- There was support for the scheme and the club was already working with under-privileged children and young people from the cities and it helped with their learning and understanding of the countryside
- The cricket offered young people outdoor exercise which helped with encouraging being active and fit
- There were many enthusiastic volunteers involved at the club and they helped to make it a fantastic facility
- The facility fitted with many policies within the local plan and also aimed to cater for people with disabilities

- There was concern at there being no footpath between the site and the existing path and not everyone would arrive by car and pedestrian/cycle access should be considered
- Investment in this type of grass roots facility led to success at a national level
- The proposal would offer sustainability for the club and the next generation as well as ensure inclusivity
- There was a leaning towards the public benefits outweighing the harm
- Cricket was enjoyed by all ages in taking part, as a spectator, as a support and volunteer
- There was concern at the bund on the site and whether this contributed to the standing water currently there and it was known that the site could be waterlogged
- It was noted that the site had not been assessed for flooding and no sustainable drainage scheme had been proposed however there could be an additional condition to ensure mitigation for potential impact on flooding
- Members were in favour to add a condition to investigate the potential risk of flooding

(Councillor Holmes lost connectivity for a couple of minutes and re-joined the meeting in the midst of the debate.)

- It was pointed out that hundreds of cars attended Belvoir Castle's open day which was manageable and the use of the club would never involve that number of vehicles
- There was a landscaping scheme in place which would screen and soften the approach to the site
- This type of facility supported sustainability in the rural economy

Councillor Chandler proposed the recommendations in the report together with an additional condition relating to a drainage scheme should this be required.
Councillor Posnett seconded the motion.

RESOLVED that

The application be approved, subject to the conditions as set out in the report and a condition relating to a drainage scheme should this be required.

(Unanimous)

REASONS:

The public benefits of the proposal are considered to outweigh the harm to the setting of the adjacent GII* listed Belvoir Castle Registered Park & Gardens, in accordance with Paragraph 196 of the NPPF and Policy EN13 of the Melton Local Plan.

The proposal is in accordance with Policy SS1 of the Melton Local Plan which states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

The proposal is supported as it can be identified as a 'community facility' as stated in Paragraph 5.11.3 of the Melton Local Plan.

The proposal is in accordance with Policy C7 of the Melton Local Plan which states that support will be given to proposals and activities that protect, retain or enhance existing community services and facilities.

The proposal is in accordance with Policy C9 of the Melton Local Plan which states that all development proposals should make a positive contribution to sports and recreational facilities close to where people live and work, to encourage greater participation in play, sport, walking and cycling and to maximise opportunities for social interaction.

(Councillor Steadman here re-entered the meeting.)

PL84

20/00593/VAC

Reference:	20/00593/VAC
Location:	Field OS 2713 and 2100, Longcliff Hill, Old Dalby
Proposal:	Variation of conditions 2 (plans), 7 (footpath) and 13 (obscure glazing) of planning permission 18/01111/FUL for residential development on land off Longcliff Hill, Old Dalby that currently benefits from 3 outline planning approvals - 16/00911/OUT, 16/00184/OUT and 17/00743/OUT and the submission of additional details relating to (conditions 4 & 6) surface water drainage, (5) surface water management, (10) archaeology, (11) foul and surface drainage, (14) materials, (15) landscaping and(17) ridge heights of 2.5 storey dwellings.

(Councillors Browne and Higgins here left the meeting due to their personal and non-pecuniary interests declared at Minute PL81 above.)

The Planning Development Manager addressed the Committee and provided a summary of the application and summarised that the recommendation was for refusal.

Since despatch of the agenda the following the LLFA consultation response for additional information had been received with no objections and 3 conditions. Members had received the comments in full prior to the meeting and therefore the recommendation could be amended accordingly.

Also since despatch of the agenda, the agent had confirmed :

- None of the 5 bed dwellings had been constructed on the site
- The condition ensuring 2.5 storey dwellings did not exceed 9.2 metres in height would be adhered to on site as it could be ensured during construction that the dwellings did not exceed that height
- The ditch in the south-east corner of the site served as land drainage to the field and to the old farm road. This had been broken out and was now part of the highway entrance and subsequently went into the new drainage system. The ditch could be filled as it now served no purpose to the new drainage although a 225 mm diameter pipe to serve the gulleys had been inserted before the new system was installed
- The LLFA had given consent for the filling of the redundant ditch
- Adjacent to plot 28 on the path there was a 4.1 metre to the centre hedge on the tightest point and 3.9 m to the outside of the hedge therefore a 900mm instead of a 1 metre space. The advice being that the hedge could be trimmed further if needed
- With regard to the removal of the east west hedge there remained a standing objection with LCC ecological on its removal, with this in mind it was proposed to add a further condition to retain the existing hedge

It was noted that 13 conditions would need to be changed to reflect these amendments.

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:

- Kim Lee, Nether Broughton and Old Dalby Parish Council

In response to a Member question, there was confirmation that the Parish Council's preference was for retention for the condition relating to the ridge height. The Planning Development Manager confirmed that this would be 9.2 metres as indicated in the agent's update listed above.

- James Botterill, Agent, HSSP Architects

In response to a Member question, there was confirmation that in terms of maintenance, the hedge was part of the management plan.

The Assistant Director for Planning and Delivery explained that the application constituted a series of amendments. Some were initiated by the developer and the report addressed these as to their alignment with planning policies. He added that departing from the plan was not a reason for amendment and each one had been assessed as to its affect and powers were to be applied in the usual discretionary manner.

With regard to the recommendation, this was as drafted plus the response from the LLFA, retention of the hedgerow and retention of the 2.5 storey ridge height as confirmed by the agent.

Members expressed concern that the dyke had been culverted and that this was not so easy to maintain and keep the water flowing. It was asked whether its maintenance was within the management plan.

The Planning Development Manager advised that drainage had been part of the application and there had been technical sign off from the Leicestershire County Council and the LLFA had agreed with the details. The land ownership was responsible for any flooding issues. It was noted that the ditch was now redundant and water was diverted to the drainage system.

With regard to a query on the ridge height and the boundary hedge, Mr Worley advised that these matters had been confirmed in the agent's update as explained earlier, ie. the 2.5 storey houses would have a 9.2 metres ridge height and the footpath would be 3.9 metres in width therefore the requirement had almost been achieved.

During discussion the following points were noted:

- It was important that the footpath met the requirement in the conditions
- It was noted that the hedge would be maintained as it was part of the management plan and this would ensure the footpath remained at the required width
- Concern at the urban style of the dwellings especially the roof windows
- The ridge height of 9.2 metres must be retained
- Concern at the ditch being made into a culvert as these notoriously caused flooding
- There was a proposal to refuse condition 7 and reinstate the ditch at condition 17 for the reasons of protecting newts overwinter, to minimise flood risk and in line with environmental policies 4 and 9

The Legal Advisor explained that should none of the amended conditions be accepted then the application should be refused. The application referred to the amended conditions presented and the original conditions were not available for amendment. Although it was noted that the culvert could be reinstated as a ditch as part of this application.

Councillor Steadman proposed the recommendations in the report with refusal of condition 7 and retention of condition 17 being that the culvert be reinstated as a ditch. Councillor Posnett seconded the motion.

RESOLVED that

Authority be granted to the Assistant Director for Planning and Delivery to approve the application subject to :

- (a) refusal of the proposed amended condition 7 and the hedge be retained;**
- (b) retention of condition 17 and the culvert be reinstated as a ditch;**
- (c) conditions as set out in Appendix A;**
- (d) the conditions and response received from the LLFA;**

(8 for, 1 abstention)

REASONS:

The site already has the benefit of an extant approval for residential development, infrastructure and landscaping and this application seeks to vary the conditions attached to that approval and to provide additional information in relation to conditions imposed on 18/01111/FUL. The principal of development remains acceptable and the changes sought and additional information are acceptable.

(Councillor Higgins here re-entered the meeting.)

PL85

20/00775/REM

Reference:	20/00775/REM
Location:	Longcliffe Hill House, Longcliff Hill, Old Dalby, LE14 3LP
Proposal:	Application for the approval of reserved matters for appearance, landscaping, layout and scale of 8 dwellings

(Councillor Browne was not in attendance for this application due to his interested declared at Minute PL81 above and did not return to the meeting after this application was determined.)

The Planning Development Manager addressed the Committee and provided a summary of the application and advised that the proposal had been amended following a workshop with the agent and representatives of the Parish Council. This had resulted in alterations to 5 out of the 8 plots which included change of materials, removal of some of the previously rendered plots along with the addition of more chimneys and blue clay roof tiles to plots 1 and 2 to better reflect Longcliffe Hill House. The amendments had also included the removal of roof lights to the majority of the properties which Members could remove permitted development rights to should they consider necessary.

The housing mix was confirmed as being at least 3 bed, 2 storey houses apart from 1 x 2 bed bungalow. There was a Member concern that the properties were quite large and it was requested that an overall size of the 3 bed homes be provided for the debate.

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:

- Phil Dorn, Nether Broughton and Old Dalby Parish Council
- James Hicks, Agent, Pegasus Group

There was a Member query as to how they would deal with the great crested newt pond at the back of the site and Mr Hicks responded that there was an extensive programme of ecological work being undertaken to address statutory obligations and an application had been lodged with Natural England as to how to deal with the newt population and the final scheme had to meet with Natural England's approval before development could go ahead.

The Assistant Director for Planning and Delivery advised the measurements of the 3 bed houses as being 7m x 10m each floor without the garage. The bungalow was 10m x 12m less approximately 25m for the L shape.

During discussion the following points were noted:

- Concern at the housing mix being larger than average homes which suggested a high level of under-occupancy. The Neighbourhood Plan had suggested smaller units were needed for the elderly to remain in the village and larger homes be released for families and this application did not meet that aspiration
- Housing mix was about the value on the open market
- The outline application had indicated larger homes and there was Member support for larger 3 bed houses and a bungalow
- The Parish Council and the developer be commended for working together on this development
- Developer had taken on environmental responsibilities and the additional car parking for visitors was appreciated

Councillor Posnett proposed the recommendations in the report and Councillor Glancy seconded the motion.

RESOLVED that

The application be approved subject to the conditions as set out at Appendix C.

(9 for, 1 against)

REASONS:

The application is recommended for approval as the principle of residential development is established and the amended plans have demonstrated a layout, scale and design that is in keeping with the area and would not have a significant adverse impact on neighbouring residential amenity. The house type designs through consultation with the Parish Council have been amended to reflect the rural vernacular.

PL86

Urgent Business

There was no urgent business.

The meeting closed at: 8.55 pm

Chair

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