

Minutes

Meeting name	Planning Committee
Date	Thursday, 19 August 2021
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor M. Glancy (Chair)

Councillors	P. Posnett MBE (Vice-Chair)	R. Bindloss
	P. Chandler	A. Hewson
	L. Higgins	E. Holmes
	J. Illingworth	M. Steadman
	R. Smith (Substitute)	

Observers

Officers

- Assistant Director for Planning and Delivery
- Solicitor
- Planning Officer (TE)
- Senior Democratic Services & Scrutiny Officer
- Democratic Services Officer (SE)
- Democratic Services Officer (HA)

Minute No.	Minute						
PL16	<p>Apologies for Absence</p> <p>An apology for absence was received from Councillor Browne and Councillor Smith was appointed as his substitute. An apology for late arrival was received from Councillor Wood.</p>						
PL17	<p>Minutes</p> <p>The minutes of the meeting held on 22 July 2021 were confirmed and authorised to be signed by the Chair.</p>						
PL18	<p>Declarations of Interest</p> <p>Councillor Posnett held a standing personal interest in any matters relating to the Leicestershire County Council due to her role as a County Councillor.</p> <p><u>Application 20/01107/FUL - Land East of Wolds Farm, Landyke Lane, Scalford</u></p> <p>Councillor Holmes declared a personal interest in this application due to a family connection and advised she would move into the public gallery for its consideration and take no part in the debate nor vote on this item in accordance with the Council's Procedure Rules.</p> <p>Councillor Steadman declared she had lodged objection to this application and advised she would move into the public gallery for its consideration and take no part in the debate nor vote on this item in accordance with the Council's Procedure Rules. Due to possible perception of pre-determination or bias..</p> <p><u>20/01233/FUL – Somerby Methodist Church High Street Somerby</u></p> <p>Councillor Higgins advised that he would be representing his Ward on this application by making a representation to the Committee. He would therefore take no part in the debate nor vote on this item in accordance with the Council's Procedure Rules.</p>						
PL19	<p>Schedule of Applications</p> <p>The Chair announced a change to the order of business and that application 20/01233/FUL (Somerby) be considered first to allow the public speakers to leave immediately after.</p>						
PL20	<p>20/01233/FUL</p> <table border="1"> <tr> <td>Reference:</td><td>20/01233/FUL</td></tr> <tr> <td>Location:</td><td>Somerby Methodist Church, High Street, Somerby</td></tr> <tr> <td>Proposal:</td><td>Conversion of Former Methodist Church to a 3 Bedroom Dwelling</td></tr> </table> <p>(Councillor Higgins declared his intention to speak as Ward Councillor and took no part in the debate nor voted on this application.)</p>	Reference:	20/01233/FUL	Location:	Somerby Methodist Church, High Street, Somerby	Proposal:	Conversion of Former Methodist Church to a 3 Bedroom Dwelling
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The Planning Officer (TE) addressed the Committee and provided a summary of the application and summarised that the recommendation was for approval. He advised that there was an error in the report that indicated that the building was an asset of community value and it should read that the building no longer held that status.

The Planning Officer explained that the time limit had expired for receiving community comments and no further comments had been received from those who had objected. The Parish Council's view had been received after the report was published and the Chair of the Parish Council would be speaking at the meeting. It was noted that the £10,000 allocated for the s106 agreement would be ring-fenced and the Committee could determine the content and terms of the s106 at this meeting.

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 David Powell, Somerby Parish Council
Councillor Powell responded to Member questions as follows:
 - There was an opportunity for match funding the £10k with the County Council or the lottery but this would not be enough for the village hall storage extension that was planned to help replace the loss of the Methodist Church as a community space. There would be a shortfall of at least 50% of the build cost estimate being £40-50k
 - Other options had been considered such as dividing up the existing village hall space
 - There was flexibility on the time limit for completing the s106
 - The church building had been the subject of an unsuccessful community bid process and had therefore been sold on the open market
 - The suggestion of developer contributions had only been raised in July 2021
- Davina Bates, spokesperson for Somerby Parish Council Community Hub
- Jonathan Weekes, Agent, Aitchison Rafferty
Mr Weekes responded to Member questions as follows:
 - The property was no longer on the register as an asset of community value as no bid had been received and the relevant time periods have expired.
 - They would give the £10k without a time limit within the terms of the s106 which would provide a meaningful benefit to the village
 - They Could not commit to building the village hall extension or providing a quotation for this work

- Councillor Higgins, Ward Councillor
Councillor Higgins responded to Member questions as follows:
 - The Methodist Church was built with community funding
 - The application did not meet policies C7 nor CF7
 - He was in discussions with the community groups who were displaced by the closure of the church
 - The applicant had not been in touch with him as Ward Councillor
 - The CofE Church was not an option as a community hub space
 - £10k was not enough to alter the village hall and make up the shortfall in community space at the village hall

The Assistant Director for Planning and Delivery that policy CF1 was the principal policy to be applied in this case because it post – dated C7 in the Local Plan, though the policies have similar aim and content. The s106 agreement needed to be flexible but faithful to its purpose and address the problem it was to solve and not be about other matters besides those created by the church closure. With regard to the Methodist Church, the Methodists closed it and it was legitimately sold and there was no mechanism to reverse that process and give the facility back to the community.

The Planning Officer (TE) added that no information was withheld during the consultation process and all parties were involved. He advised that the Village Hall Committee had indicated that they had capacity and space to accommodate all the misplaced groups from the closure of the Methodist Church without any contribution.

Grant funding timescale with the Leicestershire County Council was raised and Councillor Posnett reiterated her LCC personal interest as the portfolio holder responsible for grants. The Assistant Director advised that the timescale was flexible and did not have to be 5 years.

It was noted that the issue of being an asset of community value (ACV) was background to this application and there was no ACV relevance in determining the application.

During discussion the following points were noted:

- It was mentioned that the village hall was not suitable as an alternative community space for all the groups and £10k was not enough to make the village hall suitable to accommodate the village's needs left by the closure of the Methodist Church
- A Member felt that there was confidence in the Ward Councillor in finding a better compromise than what was presented to the Committee and a deferment was suggested to allow for this
- There was some support for a deferral as it was felt that would give some breathing space to consider all the options
- The Committee understood that the application was for a conversion to a house and was no longer concerned with an asset of community value nor being able to influence the use of the church or the village hall

- The application was supported with a rider to support the village hall in applying for grants and that the s106 funding be within the control of Melton Borough Council to finalise and allocate
- There was concern that to not approve the application would leave the village with an empty derelict building
- There was support to assist with match funding of the £10k
- There was a motion to permit, with the terms of the s106 delegated to officers to determine use and timeframe

Councillor Posnett proposed that the application be approved and the time limit for agreeing the terms and fulfilment of the S106 agreement be delegated to the Assistant Director for Planning and Delivery to finalise and determine. Councillor Chandler seconded the motion.

RESOLVED

That application 20/01233/FUL for change of use be APPROVED, subject to:

- (i) conditions as set out in appendix A;**
- (ii) the completion of a s106 agreement to provide funds of £10,000 to facilitate the adaption of the Village Hall;**
- (iii) the time limit for the terms and fulfilment of the s106 agreement be delegated to the Assistant Director for Planning and Delivery to finalise and determine.**

(6 for, 3 against)

REASONS

In the opinion of the Local Planning Authority (LPA), the Chapel's proposed change of use from religious place of worship and community use to residential is acceptable. The building was sold nearly two years ago; in that time there has not been an interested community group to come forward with funds or a business case to acquire the building.

The change of use cannot be supported unless there is alternative suitable community facility for the community groups that previously used the Somerby Methodist Chapel, in accordance with Melton Local Plan Policy C7 and the Somerby Neighbourhood Plan Policy CF1, or the existing use is shown to be unviable. As no community group has come forward to purchase the Chapel, an alternative solution has to be found. It is the opinion of the LPA that the offer of £10,000 is a fair and reasonable amount towards the adaption and extension of Somerby Village Hall, to a condition appropriate for the displaced groups to find accommodation.

Should the application for a change of use be refused, it is likely that Somerby Methodist Chapel will remain empty; its condition thereby continuing to degrade. The building would then remain empty until such time as either a community group came forward to purchase the building, or the change of use to residential was

granted. It has been approaching two years since building was sold, which is considered sufficient time to allow a community group to come forwards with a viable proposal. As such, there are tangible public benefits to securing the future use of the building; this will ensure the character and appearance of the Conservation Area is maintained; the Chapel is a prominent feature on the High Street, located in the heart of the Conservation Area. Paragraph 206 of the National Planning Policy Framework (NPPF) states that LPA's should look for opportunities for new development within Conservation Areas to preserve those elements of the setting that make a positive contribution to the asset.

The proposed development would therefore accord to Policies C7 and SS1 of the Melton Local Plan, Policy CF1 of the Somerby Neighbourhood Plan and Paragraph 206 of the NPPF, as well as the overall aims of the NPPF (revised 2021).

(There was a short adjournment to allow the public speakers on this application to leave the meeting.)

(Councillor Higgins re-joined the meeting.)

PL21

20/00470/OUT

Reference:	20/00470/OUT
Location:	Land Adj Crompton Road, Asfordby Hill
Proposal:	Outline planning application for the erection of up to 100 dwellings with all matters reserved other than means of access

The Assistant Director for Planning and Delivery addressed the Committee and provided a summary of the application and summarised that the recommendation was for approval.

Members raised the following and officers responded :

- Concern at the Severn Trent Water (STW) position and had they made any comments.
Response: STW had submitted a late response and was satisfied with the proposal and they raised no issues.
- It was felt that before approving this large application, STW needed to explain the water supply and sewage position for the Borough particularly for villages and those in the vale.
Response: A meeting had been arranged for the following week with Councillors, Officers and STW to discuss the issues.
- Concern as to access and cars parked on Crompton Road and the need for a link road and could this be included in the outline application
Response: This could be included in the outline 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:

- Dr David Unwin
- Adrian Stevenson, Lead consultant on behalf of the Agent
Mr Stevenson responded to Member questions as follows:
 - The statutory consultees had responded on flood risk and surface water rates. There were sustainable drainage solutions on the site as well as attenuation ponds included in the development which would guard against flood risk. The sensitivity around car parking was understood and the County Highways had approved the scheme and they would comply with the relevant conditions and policies.
 - The first homes would be ready for sale by next spring.
 - The integrated parking on the site for generally 2 car parking spaces per property would mean less risk for roadside parking. Turning heads would be incorporated in the plans which were not there now therefore this would be betterment as well as visitor parking.
 - Site traffic would use both access road for a balanced approach to any disruption.
- Councillor de Burle, Ward Councillor
Councillor de Burle responded to Member questions as follows:
 - There had been no request for a s106 agreement by the community although he would like to see a retail outlet
 - There was concern at the number of properties
 - There was already a small play area at Crompton Road and this would be expanded with this application and that would be adequate
 - He would like to see a wider buffer with the countryside to blend the landscape with the development
 - It was noted that sewage issues were not anticipated due to the closeness of the sewage plant nearby in Melton Mowbray

The Assistant Director confirmed that there would be a 10 metre planting buffer around the periphery of the site to follow the existing hedgerow.

During discussion the following points were noted:

- Highway safety, access and deliveries was a concern as was site access for HGVs and other heavy plant machinery during construction and it was felt that the housing percentages had not been well considered by the Highways' Authority.
- It was raised that housing numbers in the Local Plan were a guide and they should not feel pressured to increase the numbers for the site.
- It was felt that the needs of residents and people should be put before developers.
- The roads had been designed for a smaller number of vehicles when the original homes were built and there was already huge pressure on the access roads to the existing properties in respect of volumes, on-street parking and turning.
- It was noted that the windfall on the site was 50 houses so the location could end up with 131 homes therefore it was felt that there needed to be good community benefit, a suitable road infrastructure and more negotiation between

the Ward Councillors, Parish Council and applicant was needed to secure an improved development plan before approval could be considered

- It was felt the current proposal could not accommodate 100 plus houses as the access did not meet the relevant criteria
- There was a proposal for deferral to get more detail on how the site would work and offer the opportunity for negotiation on the plans
- A refusal was muted and withdrawn on a point of order as there was already a proposal on the table

Councillor Higgins proposed that the application be deferred to allow for discussions with the Ward Councillors and officers to gather more detail on how the scheme will work. Councillor Smith seconded the motion.

RESOLVED

That application 20/00470/OUT be DEFERRED to allow for discussions with the Ward Councillors and officers to gather more detail on how the scheme will operate in practice..

PL22

20/01107/FUL

Reference:	20/01107/FUL
Location:	Land East of Wolds Farm, Landyke Lane, Scalford
Proposal:	Erection of business unit including office and welfare space associated access, car parking, drainage and landscaping

(Councillors Holmes and Steadman here left the meeting due to their personal interests declared at Minute PL18.)

The Assistant Director for Planning and Delivery addressed the Committee and provided a summary of the application and summarised that the recommendation was for approval.

There was mention of the economic benefits for the Borough to the application and that a wide range of jobs were involved in the business.

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:

- Max Hobill, Objector
In response to Member queries, Mr Hobill responded that he owned the land to the west of the site and had control of the gated road which was a potential access road to the site
- James Lloyd, Applicant
In response to Member queries, Mr Lloyd responded

- Access to the site would be at the current entrance to the site which was approximately 25 yards from the junction with Eastwell Road and traffic would use Clawson Lane from the east of the site and not the single track to the west, being Landyke Lane
- There were approx. 70 jobs and employees' salaries typically ranged from £25k to £48k per annum, often with benefits such as overtime and company vehicles. He had invested in training such as nvqs and trade specific skills for the workforce to progress and develop
- The business currently operated close by from a farm off Eastwell Road therefore the traffic infrastructure was already in place for the business
- The business typically involved 3-5 wagons a week as deliveries. Most of the work was vehicles going from site to site rather than back to the yard. HGVs would not be parked, they were only used for collection and delivery
- Noise surveys had been carried out on the existing site and were documented in the application
- There was extensive screening for visual and noise purposes included in the landscape plan of the application
- The business operated mainly from 7 am to 5 pm Monday to Friday with occasional weekend presence. Encourages work/life balance for employees
- There had been occasions for early starts but that was for a specific project that had ended 18 months previously
- Workshop was insulated to help with noise pollution
- Had considered industrial sites in the Borough and small holding farms but they had not been able to accommodate all the requirements of the business including access, HGV movements, secure storage, workshop and office space
- Employees were Melton based and he did not want to move the business out of the area and risk losing the investment already made in a good workforce
- The application included infrared all night cameras for security as well as specific downlighters on timers and floodlighting as needed

In accordance with the Council's Procedure Rules, a resolution was passed to continue the meeting beyond 9 pm being the 3 hour threshold.

The meeting was adjourned for a 3 minute comfort break at 9 pm.

During discussion the following points were noted:

- It was felt the site was unsustainable and there was concern at use of the neighbouring single track gated road and the noise impact on the neighbouring properties.
- It was mentioned that there 41 hectares allocated in the Local Plan for industrial use and this proposal was ideal for one of those designated sites
- Some Members felt torn between support for a thriving business and a strong desire to retain the enterprise in the Borough but had uncertainty about the location presented
- There was an argument that the business was not moving very far so the impact on the neighbourhood was already in place and the economic benefits of the application should not be thrown away by refusing the application
- There was concern that should the application be refused the applicant may move the business away and the jobs would be lost rather than look for an alternative site within the Borough

	<ul style="list-style-type: none"> Deferment was suggested to enable the Economic Development Manager to provide a full evaluation of other industrial sites in the Borough as well as a reconsideration of the application in terms of landscaping, vehicle movements and being more sympathetic to neighbouring residents <p>Councillor Higgins proposed that the application be deferred to enable the Economic Development Manager to provide a full evaluation of other industrial sites in the Borough as well as reconsideration of the application in terms of landscaping, vehicle movements and being more sympathetic to neighbouring residents.</p> <p>Councillor Bindloss seconded the motion.</p> <p><u>RESOLVED</u></p> <p>That application 20/01107/FUL be DEFERRED to enable the Economic Development Manager to provide a full evaluation of other industrial sites in the Borough as well as reconsideration of the application in terms of landscaping, vehicle movements and being more sympathetic to neighbouring residents.</p> <p>(5 for, 3 against)</p> <p>(Councillors Holmes and Steadman re-joined the meeting.)</p>
PL23	<p>Development Management Performance Report for Quarter 1 of 2021/2022</p> <p>The Committee considered a report that advised on current national performance indicator outcomes related to the determination of planning applications for April 2021 to June 2021. It also reported on details relating to Corporate Performance Indicators and additional information on other aspects of the performance and delivery of Development Management work and outcomes.</p> <p>The Chair thanked the team for all the changes in systems and software that had been put in place and congratulated them on a good job.</p> <p><u>RESOLVED</u> that the current performance data be noted.</p>
PL24	<p>Urgent Business</p> <p>There was no urgent business.</p>

The meeting closed at: 9.25 pm

Chair