

Minutes

Meeting name	Planning Committee
Date	Thursday, 16 September 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
R. Browne P. Chandler
A. Hewson L. Higgins
E. Holmes M. Steadman
P. Wood

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

Minute No.	Minute						
PL25	<p>Apologies for Absence An apology for absence was received from Councillor Illingworth.</p>						
PL26	<p>Minutes (a) <u>20/01233/FUL – Somerby Methodist Church, High Street Somerby</u></p> <p>Councillor Higgins referred to his submission as Ward Councillor and in his response to Member questions, there should be an addition which reflected that he had asked that the item be deferred.</p> <p>Also where the minutes referred to the Planning Officer stating that all parties had been involved in the consultation, he had not been contacted as Ward Councillor for his view on the application therefore that sentence be amended to read:</p> <p><i>'The Planning Officer (TE) added that no information was withheld during the consultation process and although he considered all parties had been involved, he apologised that the Ward Councillor had not been contacted.'</i></p> <p>(b) Subject to the foregoing the minutes of the meeting held on 19 August 2021 were confirmed and authorised to be signed by the Chair.</p>						
PL27	<p>Declarations of Interest 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> 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.</p> <p>Councillor Steadman declared a personal interest in this application and advised she would move into the public gallery for its consideration and take no part in the debate nor vote.</p>						
PL28	<p>Schedule of Applications The Chair announced that application 19/01303/FUL (Land at Holme Farm, Rearsby Lane, Gaddesby) had been withdrawn from this meeting as further representations had been received.</p>						
PL29	<p>Application 20/01107/FUL</p> <table border="1" data-bbox="288 1780 1430 1933"> <tr> <td>Reference:</td> <td>20/01107/FUL</td> </tr> <tr> <td>Location:</td> <td>Land East of Wolds Farm, Landyke Lane, Scalford</td> </tr> <tr> <td>Proposal:</td> <td>Erection of business unit including office and welfare space associated access, car parking, drainage and landscaping</td> </tr> </table> <p>(Councillors Holmes and Steadman here left the meeting and took no part in the debate nor voted on this application.)</p>	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
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Proposal:	Erection of business unit including office and welfare space associated access, car parking, drainage and landscaping						

The Assistant Director for Planning and Delivery addressed the Committee and provided a summary of the application and summarised that the application had returned following its deferral at the last meeting. As requested the economic development aspect, traffic movements, parking had been reviewed and the application had submitted a statement about amenity and lighting. There was one change in the application relating to perspective on how the car parking could be reconfigured should consent be forthcoming. Further information had been supplied to Members since the briefing and the recommendation remained for approval with the condition as to parking arrangements and Members would need to consider also how this would be discharged eg. Member/Officer group.

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, Neighbour
Mr Hobill responded to Member questions as follows:
 - The other businesses that he had contacted were willing to speak with the applicant and the cost of industrial land was £250k per acre and this was £20 per acre

- Stephen Mair, Agent, Andrew Grainger and Co Limited
Mr Mair responded to Member questions as follows:
 - He had provided information to the Planning Officer following the last Committee meeting
 - He had not spoken with the Economic Development Officer
 - Notice had been served on the applicant at their current premises in November 2019 and they should have left in November 2020 and since then the applicant had been paying compensation to the landlord. The landlord had agreed to continue until Spring 2022 to allow the applicant the time to move on
 - They had received a list of approximately 10 properties from the Planning Officer last year and following assessment, for various reasons the sites were found to not be appropriate. He referred to Policy EC2 which allowed for a new business proposal to save jobs and retain employment that the Borough struggled to attract. This was not a new business but was about safeguarding existing jobs in a rural location
 - This assessment was carried out from November 2019 to March 2020 and was included in the planning and design statement. They were not in a position to assess other options whilst the application was under consideration
 - He explained that the business was rural based on a rural site and the application included significant wildlife practice elements, tree planting etc which would not be achieved if the site was in an industrial location on the edge of town or elsewhere.
 - He advised that several sites were assessed and there was a willingness to engage with Planning Officers and they were supportive of this proposal/location from the outset and there had been a focus on policy EC2 to safeguard jobs
 - There were 63 employees, 29 lived in the Borough and others elsewhere
 - With regard to car parking, many of the employees came to site on a Monday and returned on a Friday and due to the nature of the business not all staff needed to park 5 days a week or be on site

The Assistant Director for Planning and Delivery commented that

- Housing policy comments had no bearing on the application
- The financial position of the applicant was not relevant
- Policy EC2 was the principal policy and was supportive of the proposal
- Members needed to consider the rural location as well as details around the landscape and impact on neighbouring properties as criteria of this policy
- He was concerned about the alternative sites debate as the developer did not need to prove that this site was the only one suitable
- The applicant would have to comply with any conditions and the Council's role was enforcement not to monitor and they would respond to reports of non-compliance

During discussion the following points were noted:

- Such businesses were welcomed with a significant workforce and it was a question of balance of how other factors affected the proposal
- It was felt that industrial sites should be discounted before considering a greenfield site
- There were neighbour objections to be considered
- There was concern that the Economic Development Officer had not been consulted nor provided any background to other prospective sites
- This application felt rushed as did the new car parking layout and would have benefited from a more detailed submission
- There were other sites on the market that could accommodate this business
- The desire to retain the jobs should not be to the detriment of the environment and other people
- It was felt not to meet EC2 and SS3 although it was pointed out SS3 was a housing policy which did not apply in this case
- There was concern that to approve could set a precedent for businesses like this in the rural areas
- There was concern as to the character of the site and accessibility as there was the need to work at night at times and the restrictions Members may wish to impose could restrict the workings of the business
- Members were torn to refuse the application due to the impact on an existing business and the associated jobs

Councillor Browne proposed that the application be refused due to the impact on the landscape, neighbouring properties and being of poor design and in conflict with policies D1 and EC2 of the Local Plan. Councillor Bindloss seconded the motion.

RESOLVED

That application 20/01107/FUL be REFUSED, contrary to the Officer recommendation, due to the impact on the landscape, neighbouring properties and being of poor design and in conflict with policies D1 and EC2 of the Local Plan.

(6 for, 2 abstentions)

(Councillors Holmes and Steadman here re-joined the meeting.)

Application 20/00295/FUL

Reference:	20/00295/FUL
Location:	Easthorpe Lodge, Manor Road, Easthorpe
Proposal:	Proposed residential development comprising 36 houses and associated access, infrastructure and landscaping

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. He reported that there had been many requests for community benefits to be included in the s106 agreement.

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 Bob Bayman, Bottesford Parish Council
Councillor Bayman responded to Member questions as follows:
 - His preference for the s106 agreement would be access from the site into the village, widening the path and putting in a cycle path and to exclude bus passes as there were no buses to Easthorpe
 - There was not enough supply to the area in terms of Severn Trent Water and he understood this was not a flood zone.
- Joe Taylor, Gusto Group, Agent
Mr Taylor responded to Member questions as follows:
 - It was confirmed as part of the workshop consultation with Councillors that affordable homes were not required on the site and this was also confirmed with the Housing Officer
 - The same principle on affordable housing applied at their Lincoln site
 - A late response had been received from the LFA and the developers' engineers were looking at the discharge of the water course to the south
 - They had looked into the discount model and shared ownership until they received the view from the Ward Councillor that due to provision in other areas, affordable housing was not needed for this development
 - Workshop meetings with Planning Officers and Councillors had been set up by the Planning Officers
 - They had liaised with the Housing Officer and Planning Officers regarding affordable homes and due to the balance and provision in the local area, Officers had accepted their proposal
 - They supported working with the Parish Council and the Highway Authority on traffic issues but nothing in the responses led them to a requirement for the widening of the footpath but they were prepared to work with and help wherever possible although much of the land in question was outside their ownership and they would need to work with third parties on these matters
- Councillor Don Pritchett, Ward Councillor

The Assistant Director for Planning and Delivery commented as follows:

- On affordable housing, the report did not state there was no demand, it said there was good supply in the pipeline
- The workshops referred to were started in 2019 and had been an integral part of major schemes and had been so successful that they formed part of the

planning review requested by Members. They were frequently held and were helpful to all parties. Members expressed support for the workshops

- Easthorpe was considered sustainable enough to attract housing development such that it attracted housing allocations in the Local Plan
- There was a list of desirables for the s106 and a list of adverse effects of the development however weighting could be applied in favour of the eco credentials but it was for Members to make a judgement

During discussion the following points were noted:

- There was concern at the ongoing water pressure issues in the Vale and particular in Bottesford, Muston and Easthorpe and that it felt irresponsible to approve more development when these infrastructure issues had not been resolved
- There was concern at potential flooding which the report did not address
- There would be an increase in cars and traffic movements for the small hamlet
- Bottesford was in need of affordable homes and that this had not been included was a serious omission
- The design of the homes was not strong, the medieval settlement had been ignored and it was felt the report did not cover all matters
- It was felt the developer had been wrongly advised on affordable housing as this was desperately needed in this area and if not on this development then the cashflow contribution would support affordable housing in other parts of the Borough
- It was considered the application did not meet several policies and Members were minded to refuse the application
- It was felt that the eco credentials of the development were of value and a revised application would be welcomed which addressed all of the issues raised

Councillor Steadman proposed that the application be refused, on the grounds of being in conflict with policies EN4, EN6, EN13, D1 and C2 of the Local Plan and relevant paragraphs of the NPPF relating to heritage assets and policies 8, 18 and 19 of the Neighbourhood Plan. Councillor Holmes seconded the motion.

RESOLVED

That application 20/00295/FUL be REFUSED, contrary to the Officer recommendation, on the grounds of being in conflict with policies EN4, EN6, EN13, D1 and C2 of the Local Plan and relevant paragraphs of the NPPF relating to heritage assets and policies 8, 18 and 19 of the Neighbourhood Plan.

(Unanimous)

PL31

Application 19/01303/FUL

This application was withdrawn from the agenda.

Application 20/01157/OUT

Reference:	20/01157/OUT
Location:	19B High Street, Waltham on the Wolds
Proposal:	Residential Development of 2 no 1.5 storey dwellings

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.

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 Chris Gray, Waltham Parish Council
- Miranda Pilkington for the applicant
Mrs Pilkington responded to Member questions as follows:
 - With regard to the overhanging canopies on the access road, the photograph made the access look obscure but that was not accurate as they did not restrict access
 - There were 3 properties serviced by the access road
 - The narrowest point of the access road was 3.65m which was understood to have been measured by the Planning Consultant

The Assistant Director for Planning and Delivery advised that Neighbourhood Planning policy H8 supported infill development which met housing need for the parish and in this case the guidance was 3 beds or fewer and single storey.

During discussion the following points were noted:

- The application should not be refused on parking issues and waste collection arrangements
- There was concern at emergency service vehicle access and the guidance on this should be followed
- There was also concern as to whether there was sufficient space to turnaround
- The measurement of the narrowest point of the access road was questioned as to whether this was correct and there was a request for this to be re-measured
- It was mentioned that compensatory measures could be installed in the properties such as a sprinkler system
- It was noted that the Building Control function covered emergency vehicle access not the planning regime and the standard was for a 3.7m access without compensatory measures
- The Severn Trent Water issues were raised around sewage, water pressure and smell and it was felt that the application should be deferred until after the meeting with Severn Trent Water which was in 3 weeks
- It was noted that the Planning Committee was to determine the principle of development and whether it met the policies and not the detail of emergency vehicle access

Councillor Steadman proposed that the application be deferred until after the meeting with Severn Trent Water. It was also requested that the road width be re-measured for emergency services access and whether the design could accommodate a turning area. Councillor Holmes seconded the motion.

RESOLVED

That application 20/01157/OUT be DEFERRED until after the meeting with Severn Trent Water. It was also requested that the road width be re-measured for emergency services access and whether the design could accommodate a turning area.

(8 for, 2 abstentions)

PL33

Urgent Business

There was no urgent business.

The meeting closed at: 8.45 pm

Chair