

Minutes

Meeting name	Planning Committee
Date	Thursday, 7 October 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
E. Holmes	D. Pritchett
M. Steadman	P. Wood
J. Douglas (Substitute)	

Officers

Assistant Director for Planning and Delivery
 Planning Development Manager
 Solicitor
 Democratic Services Officer (SE)
 Democratic Services Officer (CR)

Minute No.	Minute						
PL34	<p>Apologies for Absence</p> <p>An apology for absence was received from Councillor Illingworth. Councillor Douglas was appointed as his substitute.</p>						
PL35	<p>Minutes</p> <p>(a) 20/01107/FUL– Land east of Wolds Farm, Landyke Lane, Scalford</p> <p>Councillor Chandler requested that in the officer's introduction, the word 'application' be amended to 'applicant' so that it reads 'the applicant submitted' and clarification be added as to the cost of agricultural land being £20k per acre.</p> <p>It was noted that with regard to application 20/01157/OUT at Waltham on the Wolds, the access had been re-measured and would be reported to a future meeting of the Committee.</p> <p>(b) Subject to the foregoing the minutes of the meeting held on 16 September 2021 were confirmed and authorised to be signed by the Chair.</p>						
PL36	<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>						
PL37	<p>Schedule of Applications</p>						
PL38	<p>Application 20/00470/OUT</p> <table border="1"> <tr> <td>Reference:</td><td>20/00470/OUT</td></tr> <tr> <td>Location:</td><td>Land adjacent Crompton Road, Asfordby Hill</td></tr> <tr> <td>Proposal:</td><td>Outline planning application for the erection of up to 100 dwellings with all matters reserved other than means of access</td></tr> </table> <p>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 with the conditions listed at Appendix A. He displayed a plan showing the access points and the issues that were raised at the last meeting and reported that the buffer had been reduced by 10 per cent to improve amenity on the site. The plans showed there was a turning area and access for emergency vehicles was sufficient.</p> <p>There was concern at the width of the roads on the site and the Assistant Director responded that the roads within the new development would be wider than the existing road structure.</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"> • Dr David Unwin <p>Dr Unwin responded to Member questions as follows:</p>	Reference:	20/00470/OUT	Location:	Land adjacent 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
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- The Assistant Director queried Dr Unwin's claim that the traffic would be twice that that the applicant had stated. Dr Unwin explained that there was an expectation for at least 2 cars per household which increased the current position of 1.76 cars per household. Then there was family growth and he considered each household would eventually have 3 or 4 cars which would be more than double the number given in the application
- 2 way flow of traffic was currently impossible and there were already issues when passing anything larger than a car such as delivery vans and waste collection vehicles
- Sam Silcocks of Harris Lamb
Mr Silcocks responded to Member questions as follows:
 - The Parish Council had been consulted on the application and had been involved in the workshops but had not made a formal submission
 - A statement including the impact on heritage assets had been submitted with the application
 - The highways consultant had checked vehicle movements and it was noted that car ownership was a different form of data
 - This was an allocated site for development and the highway impact had been accepted as environmentally sound as had access to facilities
 - With regard to the increase in vehicle ownership in growing families, this was a nationally accepted form of data taken into account in all planning applications
- Councillor de Burle, Ward Councillor
Councillor de Burle responded to Member questions as follows:
 - The applicant had engaged since the last meeting but had not listened to the issues raised at the meeting
 - The people who lived there now would be most affected by the amount of new vehicles coming to the development
 - He represented the Parish Council's view and both Ward Councillors were concerned and he could not offer an alternative or solution to the problems raised by the proposed development
 - The school was very busy and most families travelled to and from school by car
 - The Local Plan was not contested as people did not consider that there could be building on that site due to the access restrictions

The Assistant Director confirmed that the Housing Policy Officer would have checked waiting lists and demand when coming to a conclusion on the affordable housing position. There were currently no bungalows planned for the site but Members could influence the housing mix at that meeting.

During discussion the following points were noted:

- Concern at the impact on the already busy junction onto Asfordby Road
- Concern at the impact on the neighbouring village, Kirby Bellars, and its heritage assets
- It was felt that Asfordby Hill was a gateway to Melton and the historic views and landscape should be preserved
- Consideration was given for refusal under paragraph 200 of the NPPF and under policies EN4 EN6, EN13 and C1a
- Concern at the use of the existing access roads into the site which would degrade the conditions for existing residents

- The LCC Highways approach was not supported and Members were surprised and concerned that no issues had been raised
- Members were mindful of future bypass development and the potential for a shortcut to the Mine Road and how this could impact on traffic in that area
- It was felt that more houses on the site would spoil the access and views to local heritage assets
- With regard to impact around the school, there was concern for highway safety and potential danger to children coming and going from the school
- It was felt that the 1960s roads could not accommodate any more vehicle movements
- The Assistant Director advised that a refusal on the grounds of highways would be unlikely to be upheld due to the extensive assessment and detailed traffic analysis and the professional advice received from the Highway Authority
- Members did not agree with the Highways report and some felt that this should still be contested
- It was mentioned that cars were seen parked on the verges on a Sunday morning
- It was felt that the 30-40 houses on the site in addition to that allocated in the Local Plan would have a detrimental impact
- It was noted that there was a conflict with the Local Plan having allocated the site for development
- It was suggested that the housing mix could be changed to add in some bungalows as these were needed in the area
- It was mentioned that if the number of units were reduced, it was likely the developer would come back with a request for a smaller number of larger homes

Councillor Steadman proposed that the application be refused due to being in conflict with Local Plan policies EN1, EN4, EN6, EN13, C1A and paragraph 200 of the NPPF 2021 arising from its impact on the landscape (including 'Area of Separation') and the setting of identified Heritage Assets that the above policies seek to protect. Councillor Browne seconded the motion.

RESOLVED

That application 20/00470/OUT be REFUSED, contrary to the Officer recommendation, due to being in conflict with Local Plan policies EN1, EN4, EN6, EN13, C1A and paragraph 200 of the NPPF 2021 arising from its impact on the landscape (including 'Area of Separation') and the setting of identified Heritage Assets that the above policies seek to protect.

(Unanimous)

(There was a short adjournment following the decision of the foregoing application.)

PL39

Application 20/01265/FUL

Reference:	20/01265/FUL
Location:	Former Army Camp, Main Road, Redmile
Proposal:	New sustainable dwelling and private nature reserve

The Planning Development Manager addressed the Committee and provided a summary of the application and summarised that the recommendation was for refusal. He advised that comments had been received from the Parish Council and

the Ward Councillor. He referred to the isolated location and that paragraph 80 must be met to approve the application and it was a high bar test to meet both elements of paragraph 80(e).

It was noted that the application met the eco requirement as it had characteristics of a 'passive' house but determining whether the design was exceptional was subjective and there was no measure for this. The recommendation reflected the Officers' view after reviewing other examples of paragraph 80 designs presented through the professional planning officer's network.

With regard to determining whether the design was acceptable, Members felt some guidance was needed. However it was understood that there was a judgement balance to be made in determining the application against the criteria of paragraph 80(e).

It was noted that the applicant had used the term nature reserve instead of the usual landscape plan which was felt to reinforce the ecological benefits.

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:

- Richard Cooper of HSSP
Mr Cooper responded to Member questions as follows:
 - Paragraph 80 could be interpreted in many forms, some were grand designs but this was holistic in that the building, landscape design and site and were integrally linked
 - The roof was made of metal sheeting which was common to industrial buildings in the area. There were solar panels on the roof also

During discussion the following points were noted:

- There was support for this type of application due to the environmental benefits and it was felt such applications should be taken seriously as there had been missed opportunities in the past to approve such forward thinking development
- The former army camp was an eyesore and this application would improve the site
- Building materials to support environmental initiatives would only become more commercially available and less expensive if applications such as this were approved
- Expensive contamination tests would be needed if the application was approved and the Council should back schemes where developers were willing to invest in sites such as this
- Members were impressed by the ecological benefits but some were not so sure that the design had the wow factor
- It was felt to be a rare opportunity to approve a passive house
- There was concern as to the subjective decision-making of whether the design was exceptional and how this could be resolved. It was noted each person's opinion was different but the design should be outstanding and enhance its setting
- There was a feeling that more should be done in planning terms to meet the Council's Climate Change Strategy and to refuse the application would be in conflict with supporting this important initiative
- It was felt that for the design to stand out was not necessarily a criteria to meet and the design had its own outstanding quality in that it blended with the

	<p>landscape and provided a major step forward in sustainable energy</p> <ul style="list-style-type: none"> • There was a request for a footpath to the village and if approved this should be negotiated with the developer and the Parish Council and it was advised that this could not be subject to a s106 agreement • It was felt the proposal met paragraph 80(e) in its outstanding architecture not only in its green credentials but in the way the human and natural elements of the architecture blended together, raising standards of the design in rural areas and would be exemplary in its design, enhancing the immediate setting in clearing up the site and sensitive to reflect the local area and the historic architecture of what was already there <p>Councillor Holmes proposed that the application be approved subject to appropriate conditions delegated for determination by the Assistant Director for Planning and Delivery and to negotiate provision of the proposed footpath. Councillor Wood seconded the motion.</p> <p>RESOLVED</p> <p>That application 20/01265/FUL be APPROVED, contrary to the Officer recommendation, subject to appropriate conditions delegated for determination by the Assistant Director for Planning and Delivery and to negotiate provision of the proposed footpath.</p> <p>(Unanimous)</p>
PL40	<p>Urgent Business</p> <p>There was no urgent business.</p>

The meeting closed at: 8.07 pm

Chair