

Minutes

Meeting name	Planning Committee
Date	Thursday, 9 December 2021
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair

Councillors

P. Posnett MBE (Vice-Chair)	R. Browne
P. Chandler	J. Douglas
C. Fisher	E. Holmes
J. Illingworth	D. Pritchett
R. Smith	M. Steadman
P. Wood	

Officers

Assistant Director for Planning and Delivery
Solicitor (TP)
Senior Planning Officer (RR)
Planning Officer (GE)
Democratic Services Officer (HA)
Democratic Services Officer (SE)

Minute No.	Minute						
PL50	<p>Apologies for Absence There were no apologies for absence.</p>						
PL51	<p>Minutes The minutes of the meeting held on 10 November 2021 were confirmed as a true record.</p>						
PL52	<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>Minute PL54 - 19/01384/REM – Millway Foods Ltd, Colston Lane, Harby Minute PL57 - 21/01060/FUL – Tofts Hill, Stathern Councillor Steadman advised that she would be representing her ward on these two applications by making a representation to the Committee. She would therefore take no part in the debate nor vote on these items in accordance with the Council’s Procedure Rules.</p> <p>Minute PL58 - 21/01092/VAC - Fields OS2713 and 2100, Longcliff Hill, Old Dalby Councillor Browne declared a personal interest in this application due to his association and friendship with the previous owner of the site and advised he would leave the meeting, take no part in the debate nor vote on this item.</p> <p>It was reported that Councillor Orson, the Ward Councillor, would not be in attendance to speak on this application as he had a disclosable pecuniary and personal interest as the previous owner of the site.</p>						
PL53	<p>Schedule of Applications</p>						
PL54	<p>Application 19/01384/REM</p> <table border="1" data-bbox="288 1563 1433 1733"> <tr> <td data-bbox="288 1563 496 1608">Reference:</td> <td data-bbox="496 1563 1433 1608">19/01384/REM</td> </tr> <tr> <td data-bbox="288 1608 496 1653">Location:</td> <td data-bbox="496 1608 1433 1653">Millway Foods Ltd, Colston Lane, Harby</td> </tr> <tr> <td data-bbox="288 1653 496 1733">Proposal:</td> <td data-bbox="496 1653 1433 1733">Erection of 53 dwellings (reserved matters to outline planning permission 15/00673/OUT</td> </tr> </table> <p>(Councillor Steadman declared her intention to speak as Ward Councillor and moved into the public gallery, took no part in the debate nor voted on this application.)</p> <p>The Assistant Director for Planning and Delivery addressed the Committee and provided a summary of the application. He updated Members that the developer had now secured agreement with Severn Trent Water for the discharge into the</p>	Reference:	19/01384/REM	Location:	Millway Foods Ltd, Colston Lane, Harby	Proposal:	Erection of 53 dwellings (reserved matters to outline planning permission 15/00673/OUT
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canal. He advised this was for information and was not a reserved matter and therefore was not part of this application (paragraph 3.10 of the report referred). He summarised that the recommendation remained 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:

- Matthew Mortonson of Ninteen47, Agent
Mr Mortonson responded to Member questions as follows:
 - There had been ongoing discussions with officers since 2019
 - All matters raised by officers had been taken into account including the SPD
 - Severn Trent Water had agreed discharge into the canal
- Councillor Mel Steadman, Ward Councillor
Councillor Steadman responded to a Member query that she had been involved in discussions with the developer about the two additional conditions she had requested and she felt more pull in places were needed as tandem parking did not work

During discussion the following points were noted:

- There was concern as to the Severn Trent Water discharge into the canal although this was noted as not being part of this application but it was felt that should the application be approved, this matter should be brought back to the Committee
- There was a concern that the design was poor and did not suit a rural setting; the houses and tandem parking did not fit with the village scene and it was considered there would be too much on-street parking
- It was noted that this application was concerned with design and layout only and any revisions could be suggested
- Should the application be approved, there was a request for 5 additional pull in spaces and parking outside plot number 40 to be rearranged

Councillor Illingworth proposed that the application be approved with the additional conditions requested by the Ward Councillor being 5 additional pull in spaces and parking outside plot 40 being rearranged as well as an extra condition relating to water should this be needed. Councillor Douglas seconded the motion. On being put to the vote, the motion was not carried with a vote of 3 for and 7 against.

Councillor Browne proposed that the application be refused due to being in conflict with Local Plan policy D1 and Neighbourhood Plan Policy T4; the scheme being of poor design with (a) tandem parking likely to lead to on-street parking which would be unattractive and (b) the houses were not in-keeping or sympathetic with the context of the site provided by its rural setting. Councillor Chandler seconded the motion.

RESOLVED

That the application be REFUSED, contrary to the Officer recommendation,

due to being in conflict with Local Plan policy D1 and Neighbourhood Plan Policy T4; the scheme being of poor design with (a) tandem parking likely to lead to on- street parking which would be unattractive and (b) the houses were not in-keeping or sympathetic with the context of the site provided by its rural setting.

(7 for, 3 against)

REASONS

The proposed development, by virtue of the proposed parking provision's reliance upon 'tandem' arrangements, would represent inadequate provision, resulting in on street parking to the detriment of visual amenity of the development and would be contrary to Policy D1 of the Adopted Melton Local Plan 2011-36 and T4 of the Clawson Hose and Harby Neighbourhood Plan 2018.

The proposed architectural detailing for the proposed dwellings is not sympathetic to the character of the area nor would it reflect the wider context of the local area and respect the local vernacular, and would therefore be contrary to Policy D1 of the Adopted Melton Local Plan 2011-36.

(Councillor Steadman here re-joined the Committee.)

PL55

Application 21/00310/FUL

Application:	21/00310/FUL
Location:	Hose Garage, 19 Harby Lane, Hose
Proposal:	Demolition of garage and construction of 2 dwellings

The Senior Planning Officer (RR) addressed the Committee and provided a summary of the application and summarised that the recommendation was for approval.

There was a query as to contamination on the site and the Senior Planning Officer responded that there were conditions in the report that dealt with contamination and Environmental Health was satisfied with this position.

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:

- Neil Smith, Applicant

During discussion the following points were noted:

- There was agreement that 2 houses on the site was better than 3
- It was mentioned that the garage should not be able to be converted to a room as it helped to alleviate on-street parking
- Limitation on use of the garage was requested

- The proposal complied with Local Plan policies and the developer had listened to the Parish Council and Ward Councillor and therefore there was no reason to refuse the application

Councillor Steadman proposed that the application be approved with conditions ensuring the use of the garage for parking. Councillor Wood seconded the motion.

RESOLVED

That the application be APPROVED subject to the conditions set out in Appendix C and conditions limiting the use of the garage.

(Unanimous)

REASONS

The proposal represents sustainable development in principle in an appropriate, acceptable location in accordance with both Local Plan and Neighbourhood Plan policies.

As a result of discussions leading to amended plans, the scheme as amended will positively contribute to the identified housing mix for the area while also being in-keeping with the character and appearance of the area without raising unacceptable impacts on amenity.

PL56

Application 21/00834/FUL - Withdrawn

This application was withdrawn from the agenda.

PL57

Application 21/01060/FUL

Application:	21/01060/FUL
Location	Tofts Hill, Stathern
Proposal:	Demolition of redundant barns and their replacement with a single dwelling house (Class C3)

(Councillor Steadman declared her intention to speak as Ward Councillor, moved into the public gallery and took no part in the debate nor voted on this application.)

The Planning Officer (GE) addressed the Committee and provided a summary of the application. He summarised that the recommendation was 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:

- Councillor Ken Bray, Stathern Parish Council
- Councillor Mel Steadman, Ward Councillor

During discussion the following points were noted:

- It was considered there had been no significant improvement than what had previously been presented on the site. It had been noted that the Inspector had stated the area should be protected and the Committee had always been in agreement with this view
- The application was for a very large house and was calling itself a farm which was felt to be a slight on the farming industry as there was no evidence of such activity
- It was felt the house was not in-keeping with the landscape
- It was noted that the application had not been submitted under the exceptional house criteria (paragraph 80e)

Councillor Chandler proposed that the application be refused. Councillor Holmes seconded the motion.

RESOLVED

That the application be REFUSED.

(Unanimous)

REASONS

The development would raise no significant, adverse impacts on ecology, archaeology or highway safety grounds that would warrant refusal.

In the opinion of the Local Planning Authority the proposed development 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 setting of the Conservation Area. For these reasons, the proposal is considered to conflict with Policies EN1, EN6 and EN13 of the Melton Local Planning Report 21/01060 Tofts Hill Stathern 3 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.

(Councillor Steadman here re-joined the Committee.)

PL58

Application 21/01092/VAC

Application:	21/01092/VAC
Location	Fields OS2713 and 2100, Longcliff Hill, Old Dalby
Proposal:	Removal of Condition 22 (infilling of ditch) of planning permission

(Councillor Browne here left the meeting due to his interest declared at Minute PL52).

The Assistant Director for Planning and Delivery addressed the Committee and provided a summary of the application. He 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 Jerzy Schmidt, Broughton & Old Dalby Parish Council
A Member expressed an apology to the Parish Council regarding the urban look of the houses when a rural aspect had been preferred during discussions.
- James Botterill, Agent
Mr Botterill responded to Member questions as follows:
 - There was no benefit in retaining the condition as the ditch served no purpose.
 - Historically there had been a ditch on the site but the development included a new drainage scheme that was not reliant on the ditch and the ditch was now dry, therefore it was no longer required on the site.

The Solicitor reminded the Committee that this was not a retrospective application but was to deal with the one item as presented.

During discussion the following points were noted:

- It was considered that dry ditches were beneficial to wildlife and could be very important from an ecology perspective which meant the ditch did add value contrary to the County Council's Ecology's view
- Members questioned changing the status quo and if there was no benefit to anyone in changing the current position then there was no reason to remove the ditch
- It was felt there was an ecological sense of place to retain the ditch in the same way as hedgerows were retained

Councillor Steadman proposed that the application be refused to protect the wildlife corridor and due to being in conflict with Neighbourhood Plan policies ENV3 and ENV4 and Local Plan policy EN2. Councillor Pritchett seconded the motion.

RESOLVED

That the application be REFUSED, contrary to the Officer recommendation, because the removal of the ditch would fail to protect and enhance the wildlife corridor of which it forms part and would be contrary to Policies ENV3 and ENV4 of the Broughton and Old Dalby Parish Neighbourhood Plan 2017-2036 and Policy EN2 of the Adopted Melton Local Plan 2011-2036.

	(Unanimous)
PL59	Urgent Business There was no urgent business.

The meeting closed at: 7.25 pm

Chair