

Minutes

Meeting name	Planning Committee
Date	Thursday, 29 September 2022
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor P. Posnett MBE (Chair)

Councillors

T. Webster (Vice-Chair)	R. Browne
P. Chandler	C. Evans
C. Fisher	E. Holmes
J. Illingworth	D. Pritchett
R. Smith	P. Wood

Officers

- Solicitor (TP)
- Senior Planning Officer (AC)
- Senior Planning Officer (RR)
- Planning Officer (GE)
- Senior Democratic Services & Scrutiny Officer
- Democratic Services Officer (SE)

Minute No.	Minute
PL31	<p>Apologies for Absence There were no apologies for absence.</p>
PL32	<p>Minutes</p> <p>(a) The minutes of the meeting held on 21 July 2022 were confirmed as a true record.</p> <p>(b) Minutes of the special meeting held on 11 August 2022</p> <p>To clarify the position on the voting, the Chair proposed an amendment to the minutes as shown in red below :</p> <p>‘RESOLVED</p> <p>That the application be APPROVED subject to conditions set out in Appendix C.</p> <p>4 for, 4 against, 1 abstention (The Chair did not vote)</p> <p>Due to a tie in the vote, in accordance with the procedure rules set out in the Constitution, the Chair exercised her casting vote for the application which carried the motion to approve the application.’</p> <p>Members raised queries regarding the way in which the voting should be recorded in the minutes.</p> <p>A Member raised a query in relation to the conditions which had been debated at the meeting and whether these were included as part of the approval of the application. The Senior Planning Officer (AC) responded that condition 11 covered these matters.</p> <p>It was agreed to defer confirmation of the minutes to enable clarification as to how the voting at the 11 August Meeting should be recorded in the minutes on the matters raised to be taken to the next meeting.</p> <p>(Councillors Chandler and Holmes entered the meeting at 6.05 pm during the debate on the above item.)</p>
PL33	<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>Application 22/00705/FUL - Flats North of Car Park, Chapel Street, Melton Mowbray</p>

Councillor Browne declared a conflict of interest due to his role as portfolio holder for Housing and Landlord Services and his subsequent involvement in the scheme and therefore advised he would not take part in this application and he would move into the public gallery.

PL34 **Schedule of Applications**

PL35 **Application 21/00825/VAC**

Application:	21/00825/VAC
Location:	OS4240, Burdetts Close, Great Dalby
Proposal:	Variation of conditions 5, 8 and 23, and discharge of conditions 3, 4, 11, 12, 16, 17, 18, 19, 20 and 21 of planning approval 18/00721/OUT

The Senior Planning Officer (RR) addressed the Committee and provided a summary of the application and advised the application was recommended for approval subject to conditions. He explained that an additional representation had been received which related to the site access however this was not part of this application. Amended plans had been received and were reflected in the presentation and would have no impact on amenity. Highways had indicated that the amendments met the required standard and the roads would be capable of adoption. Due to the revised plans, there was an amendment to condition 3 which had not been included in the report and was verbally communicated to the Committee, which would take account of the highway comments and appropriate landscaping.

Members raised concerns and the Senior Planning Officer responded as follows:

- Condition 3 would be amended to read in accordance with the respective drawings.
- Trees would be planted at 10m intervals.
- The width of the entrance to Burdetts Close was approx. 5m and this met the Highway Authority's requirement.
- The road carriageway was the same as the existing road on Burdetts Close.
- Severn Trent Water had raised no objections to the scheme.

Members felt that they could not consider an application when they did not have the correct wording for the condition variations.

It was requested that the following be recorded in the minutes:

'There was ongoing concern for building new homes in villages when the water and sewage infrastructure was not effectively meeting customer demand and how this new development would impact on the water supply of existing residents in Great Dalby.'

The Solicitor responded that previous appeal decisions had looked at this issue and

explained that water companies were not obliged to provide comment and Planning Committees could not refuse applications on water supply related matters. There were however other routes to address this issue outside of a Planning Committee meeting.

Although there was some confusion as to elements of the two applications received for this site, it was noted that it was not possible to combine them as they had been submitted as two separate applications.

A discussion ensued on the Construction Management Plan and how this was accessed against EN2. It was explained that there is expected to be a biodiversity gain as a result of additional planting, however this was questioned as there has been no baseline biodiversity assessment and therefore it can't be assumed that there would be a biodiversity gain.

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:

- Caroline Chave, Agent, Chave Planning
- Councillor Robert Child, Ward Councillor

Following the speakers' speeches the following points were noted:

- The drainage system couldn't cope with the current amount of sewage. It was likely that this application could exacerbate the situation, however it was noted that the Committee had no option but to accept what Severn Trent Water had stated.
- It was alleged by the Ward Councillor that the sewage problems had been caused by a small pipe between Great Dalby and Kirby Bellars.
- It was noted that there had been some consultation between the developer and the residents.

The meeting entered open debate and the following points were noted:

- There was concern that a barrier wasn't proposed for the footpath near the pub from the site. It was explained that the Planning Authority couldn't force this but that the Parish Council could approach the Highways Authority separately on this issue.
- There was a general consensus that the Committee did not have sufficient information to determine the application.

Councillor Illingworth proposed that the application be deferred. Councillor Evans seconded the motion.

RESOLVED

That the application be DEFERRED for the reasons given below.

(Unanimous)

REASONS

The reasons for deferral were as follows:

- Condition 2 required re-writing.
- The access and highways position required clarification; and
- In light of contradictory information that had been presented to the Committee, Severn Trent Water be asked to clarify their position and provide additional technical details which back up their position.

(Councillor Illingworth here left the meeting and did not return.)

(Councillor Browne left the meeting at 7.19 pm and returned at 7.20 pm.)

(Councillor Fisher left the meeting at 7.19 pm and returned at 7.21 pm.)

PL36

Application 19/00909/OUT

Application:	19/00909/OUT
Location:	St Mary's Hospital, Thorpe Road, Melton Mowbray
Proposal:	Discharge of Condition 30 (Vagrant Cells) attached to planning permission

The Planning Officer (GE) addressed the Committee and provided a summary of the application and advised the application was recommended.

There were no public speakers.

During discussion the following points were noted:

- The doorway was of steel construction to ensure stability and weatherproofing
- There was an information plaque displaying the history of the cells
- There was appreciation for reaching a mutually agreeable design and appearance
- There was disappointment from one Member that the original cells could not have been retained

Councillor Browne proposed that the application be approved. Councillor Webster seconded the motion.

RESOLVED

That the application be APPROVED and condition 30 be formally APPROVED.

(9 for, 1 abstention)

REASONS

The proposed scheme is considered to result in an appropriate memorial and consists of a structure which offers an interesting and sensitively considered physical representation of a historic vagrant cell at the site in terms of scale, design

and appearance, ensuring that the feature would appropriately commemorate the interpretation of this important non1 designated heritage asset and its place in Melton Mowbray's history.

Due to the design and positioning of the feature, it is considered that the risks arising from anti-social behaviour or vandalism have been adequately addressed and mitigated.

PL37

Application 22/00705/FUL

Application:	22/00705/FUL
Location:	Flats North of Car Park, Chapel St, Melton Mowbray
Proposal:	Raising the roof

(Councillor Browne here left the meeting due to his interest declared at Minute PL33.)

The Senior Planning Officer (RR) addressed the Committee and provided a summary of the application and advised the application was recommended for approval subject to conditions.

There were no public speakers.

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

RESOLVED

That the application be APPROVED subject to conditions set out in Appendix B.

(Unanimous)

REASONS

The overall increase in height is minimal being approximately just 0.17m and it is considered that the proposal would have no undue detrimental impact to the character of the area, nearby heritage assets or to neighbouring residential amenity.

The proposal would not detract from the setting of the adjacent listed building given the minimal impact the increase in height of the roof would have.

The proposed works would incorporate increased and improved roof insulation in order to comply with Policy EN9 of the Melton Local Plan and the current U-values under Part L (Conservation of Fuel and Power) of the Building Regulation/Building Act

The proposed development would therefore accord to Policy D1 and SS1 of the

	Melton Local Plan and the overall aims of the National Planning Policy Framework 2021.
PL38	Urgent Business There was no urgent business.

The meeting closed at: 7.32 pm

Chair