

# Minutes

<b>Meeting name</b>	<b>Planning Committee</b>
<b>Date</b>	<b>Thursday, 14 September 2023</b>
<b>Start time</b>	<b>6.00 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH</b>

## Present:

**Chair** Councillor A. Thwaites (Chair)

**Councillors**

J. Mason (Vice-Chair)	P. Allnatt
R. Browne	P. Cumbers
M. Glancy	M. Gordon
L. Higgins	D. Pritchett
A. Freer (Substitute)	

**Officers**

- Assistant Director for Planning
- Senior Solicitor
- Senior Planning Officer (AC)
- Senior Planning Officer (RR)
- Planning Officer (AS)
- Senior Democratic Services and Scrutiny Officer
- Democratic Services Officer (HA)

<b>Minute No.</b>	<b>Minute</b>
PL29	<p><b>Apologies for Absence</b></p> <p>Apologies for absence were received from Councillor I Atherton and Councillor S Atherton.</p> <p>Councillor Freer was appointed as substitute for Councillor I Atherton.</p>
PL30	<p><b>Minutes</b></p> <p>Minutes of the meeting held on 17 August 2023.</p> <p>Approval of the Minutes were proposed by Councillor Mason and seconded by Councillor Glancy. The Committee APPROVED the Minutes.</p> <p>(7 For, 0 Against, 3 Abstentions)</p> <p>With regard to Minutes of the meeting held on 31 August 2023, the Committee agreed to the following amendments to the Minutes:</p> <p><b>Amendment 1</b></p> <p>That the words ‘and Historic England’ are removed and the words ‘that the report stated’ and ‘although the written advice was not available to the Committee’ are added so the following passage reads as follows:</p> <p><i>It was noted that the report stated that the Conservation Officer had stated that the impact of the scheme upon the settings of the designated heritage assets would result in less than substantial harm to their significance, although the written advice was not available to the Committee.</i></p> <p><b>Amendment 2</b></p> <p>That the following sentence is added to the section that raises points from the Officer presentation:</p> <p><i>It was noted that Historic England stated that the impact of the proposals upon the settings of the designated heritage assets would result in harm to their significance. Members sought clarification on whether further modelling exercises had taken place to acknowledge the comments. The Committee recognised that they needed to be fully satisfied that the damage to the area was outweighed by the benefit of the scheme.</i></p> <p><b>Amendment 3</b></p> <p>That the following sentence is added to the section that raises points from the speakers:</p>

*Following a question of whether the site could be smaller but with the same amount of electricity being produced, as with other similar sites, the applicant stated that the site had to be the size proposed so that the project was economically viable.*

#### **Amendment 4**

That the sentence 'This is different from an energy crisis and therefore the loss of food production would also have to be considered by the Committee.' is added to the following passage so it reads as follows:

*Members noted that one key aspect of the scheme is to tackle the climate crisis and significant weight is apportioned to this element. This is different from an energy crisis and therefore the loss of food production would also have to be considered by the Committee.*

#### **Amendment 5**

That the following sentence has the word 'not' removed so it reads:

*The harm caused by the loss of best and most versatile land does outweigh the climate change benefits of the proposal, contrary to the overall aims and objectives of policies SS1 and E10 (part 10) of the Melton Local Plan, the NPPF paragraph 174 and Policy 3 (part 4) and Policy 9 (part 4 (d)) of the adopted Bottesford Neighbourhood Plan.*

The Committee accepted the amendments.

Approval of the Minutes were proposed by Councillor Glancy and seconded by Councillor Mason. The Committee APPROVED the Minutes.

(8 For, 0 Against, 2 Abstentions)

PL31	<b>Declarations of Interest</b> Councillor Higgins declared an interest in relation to application 21/00825/VAC (land off Burdett Close, Great Dalby) and stated that he would withdraw from the meeting when the application is considered and he wouldn't vote.
PL32	<b>Schedule of Applications</b>
PL33	<b>Application 21/00825/VAC</b> (At 6:09pm, Councillor Higgins left the meeting.)  The Senior Planning Officer (RR) addressed the Committee and provided a summary of the 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 three minute presentation:

- Beth Johnson, Burton and Dalby Parish Council
- Caroline Chave, Agent

Councillor Browne proposed that the recommendations within the report are approved. Councillor Glancy seconded the motion.

### **RESOLVED**

**That the application be APPROVED subject to the Planning Conditions detailed in Section 11 of the report.**

(7 For, 2 Against, 0 Abstentions)

(Councillor Gordon requested that her vote against the motion be recorded.)

### **REASONS**

The reasons for approval are as outlined within the report.

(At 6:42pm, upon the conclusion of this item, Councillor Higgins returned to the meeting.)

PL34

### **Application 22/01217/FUL**

The Planning Officer (AS) addressed the Committee and provided a summary of the application.

Following the Officer presentation, the following points was made:

- It was noted that the thrust of Government guidance was to not allow permitted development for a public house to be converted into a retail unit.
- The significance of registering the public house as an asset of community value (ACV) is that it gives the community an opportunity to purchase the public house, however the property is not for sale. It was also noted that the ACV process sits outside of the planning process.

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 three minute presentation (although Sarah Parker and John Coleman agreed to share their three minute slot):

- Sarah Parker, Chair of the Horseshoe Asset of Community Value Group
- John Coleman, Resident
- Matthew Roe, Agent

During the questioning of the speakers, the following key points were raised:

- The objector confirmed that the former public house was busy and offered something slightly different to the other public house in the village, e.g. was open longer, open on bank holidays and provided a venue to watch big

sporting occasions in a communal setting.

- The objectors stated that, in the communities' opinion, the public house was a viable business.
- Members were informed that the proposed café would be in competition with the other café in the village and the objectors stated that, in their opinion, another café is not required.
- It was noted that the applicant had discussed their plans with the Chairman of the Parish Council but had not undertaken wider community engagement other than a generic email about the larger store.

During the debate, the following key points were raised:

- It was noted that there had been a lack of consultation from the applicant and a lack of prove regarding the non-viability of the public house.
- Members stated that a shop is not a public house and therefore consideration would have to be given to offer that has been lost, especially as it was valued by the community.
- The comment was made that the scheme could provide Asfordby with a better retail offering.

Councillor Browne proposed that the application be refused contrary to Officer recommendation. Councillor Higgins seconded the motion.

#### **RESOLVED**

**The Planning Committee REFUSED the application.**

(7 For, 0 Against, 3 Abstentions)

#### **REASONS**

In the opinion of the Local Planning Authority, the loss of the public house would not be adequately mitigated by the new retail store and proposed new café. The proposals do not protect, retain or enhance existing community services and facilities. The closure of the public house and its replacement with a retail store is not supported by the local community and the proposal is therefore contrary to policy C7 (b) of the adopted Melton Local Plan, and paragraphs 84 and 92(a), 93 a), b) and c) of the NPPF.

PL35	<b>Urgent Business</b> There was no urgent business.
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The meeting closed at: 8.01 pm

Chair