

Minutes

Meeting name	Planning Committee
Date	Thursday, 4 April 2024
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor A. Thwaites (Chair)

Councillors

J. Mason (Vice-Chair)	P. Allnatt
I. Atherton	S. Atherton
R. Browne	P. Cumbers
M. Glancy	M. Gordon
D. Pritchett	R. Sharp (Substitute)

Officers

- Assistant Director for Planning
- Planning Development Manager
- Senior Solicitor (TP)
- Senior Planning Officer (AC)
- Planning Officer (MK)
- Planning Officer (AS)
- Democratic Services Officer (HA)
- Democratic Services Officer (CB)

Minute No.	Minute
PL69	<p>Apologies for Absence An apology for absence was received from Councillor Higgins. Councillor Sharp was appointed his substitute.</p>
PL70	<p>Minutes The Minutes of the meetings held on 15 February 2024 and 28 February 2024 were approved as a true record.</p>
PL71	<p>Declarations of Interest Councillor Pip Allnatt declared an interest in relation to application 23/00633/FUL, The Chestnuts, 12 Belvoir Road, Redmile. As Leader of the Council, he had spoken to Officers and the Belvoir Estate with regard to policy, he had also discussed this matter with the local MP. Councillor Allnatt confirmed that he would remain for the application.</p> <p>Councillor Margaret Glancy declared an interest in relation to application 23/00633/FUL, The Chestnuts, 12 Belvoir Road, Redmile as Deputy Leader was also present at these meetings. Councillor Glancy confirmed that she would remain for the application.</p> <p>Councillor Ronan Browne declared an interest in relation to 23/01133/TPO, St Thomas A Becket's Church, Church Lane, Frisby-on-the-Wreake. As he had been requesting for the work to be done, he would withdraw from the meeting before the application is considered and therefore, he would not vote.</p>
PL72	<p>Schedule of Applications</p>
PL73	<p>Application 21/01318/FUL - Ashby Folville Manor, Gaddesby Lane, Ashby Folville The Planning Officer (MK) addressed the Committee and provided a summary of the application. He recommended that item 10.9 is deleted, as the receipt of an Impact Assessment and Conservation Payment Certificate countersigned by Natural England has already been requested within the recommendations. Following the presentation, there were questions for clarification.</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 three-minute presentation.</p> <ul style="list-style-type: none"> • John Simon – Parish Council • Chris May – Agent • Councillor Robert Child – Ward Councillor <p>The Chair read an email from Councillor Butcher, the Portfolio Holder for</p>

Regeneration, Economic Development and Heritage to say that she supports the application.

During the debate the following points were raised:

- It was felt it should be a condition if the application is approved, that water reports are obtained as there are big concerns regarding flooding. It was also said the fact that Severn Trent had not responded should not be taken as acceptance, an approved drainage scheme by Severn Trent should also be written into the conditions. A reference was made to the previous application regards sewage and water it was recommended that a small sewage treatment station was installed and to discharge the clean water into the ditch on the northern boundary.
- It was queried why planning policy can be overridden on this application; it is the professional opinion of the Officer that the benefits of the conservation improvements do outweigh the policy.
- It was said if the application was passed would it not encourage other builders to want to develop around this area, this has only been recommended due to the heritage conservation, so other building would not be permitted.
- The comment was made that if the application is refused, the existing application for the 2-5 bedroomed houses would impede the restoration of the Gatehouse.
- The comment was made that there is a neighbourhood plan and this development goes against this and there should be certainty around having a neighbourhood plan. It was also felt that the existing application would not stop the heritage conservation as funds would also be raised from this.
- It was felt the main benefit is to owner not the village and should the good of the heritage be balanced against the good to the village.
- The comment was made that the cottages should be seen as encouragement for future generations to stay in the village, especially as they are small homes, they aren't in the conservation area and the benefits do outweigh the harm.
- The homes should not be allowed as holiday lets but kept for private dwellings.

Councillor Browne proposed the application be refused contrary to Officer recommendations. Councillor Sharp seconded the motion.

RESOLVED

The Planning Committee REFUSED the application contrary to Officer recommendation.

(For 7, Against 3, Abstentions 1)

Councillors Cumbers and Glancy requested that their votes against the motion were recorded.

REASONS

In the opinion of the Local Planning Authority the proposal would, if approved, result in the provision of seven additional dwellings in an unsustainable location. The development occupies an unsustainable location where there are limited local amenities, facilities and jobs, and where future residents are likely to depend highly on the use of a private motor vehicle. The proposal does not meet an identified proven local need and would be contrary to Policies, SS1, SS2 and SS3 of the Local Plan which seeks to restrict development in such settlements to that which is based on a local proven need. The proposal would also be contrary to Policies HBE1 and HBE3 of the adopted Neighbourhood Plan. The limited heritage benefits of the proposal do not outweigh the significant harm that would be caused by the unsustainable location of the development.

PL73.1 **Application 22/00063/FUL - Land OS 481195 338112, Castle View Road, Easthorpe**

This application was withdrawn from the agenda.

PL73.2 **Application 23/00633/FUL - The Chestnuts, 12 Belvoir Road, Redmile**

There was a proposal from Councillor Allnatt to suspend Chapter 2, Part 9, Paragraph 2.10 to allow Councillor Chris Evans to speak as the ward councillor, as he had missed the deadline due to illness. This proposal was seconded by Councillor Browne. The Legal Services Manager confirmed that these rules can be suspended. This was put to the vote and the motion was carried unanimously.

Prior to the Planning Officers presentation, the Planning Development Manager addressed the Committee to provide some context on other work that the Council is undertaking outside of the planning remit. In summary, Members were informed that Planning applications are required to be determined using the relevant Planning Policies and Planning Legislation and can only take into account matters which are material planning considerations.

However, the Council as a whole is aware of concerns relating to the number of children's care homes currently operating or being proposed across the Borough. In response to this, the Council approved a Planning Guidance Note. The purpose of the guidance note is to clarify and provide information, whilst actively encouraging the applicant to go down the formal planning application submission route.

Planning Officer (AS) then addressed the Committee and provided a summary of the application. Following the presentation, Members asked the Officer questions of clarification.

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.

- Ian Lowther – Parish Council

- Jim Greaves – Objector
- Jill Palmer/Melainie Dougill – Applicant, Esland
- Councillor Chris Evans – Ward Councillor

The Chair also read out an email he had received from Ward Councillor Simon Orson, which he had agreed to read out before Councillor Evans requested to speak. Councillor Orson was requesting the Committee to refuse the application.

Questions that were asked to the speakers:

- Is there proof that the ASB increased significantly once the two homes had opened. Members were advised that there were minor instances when the first home opened but had increased significantly once there were two, with the Police being frequently called out.
- It was asked if the disturbances were overnight and members were advised a lot of these instances are in the early hours.
- The applicant was asked what they would do to stop the children from their home being out at night, Members were assured the staff are fully trained and they have not had any instances of ASB being reported in any of their existing homes.
- It was asked if the decision to purchase the home in Redmile had taken into account there are already existing children's homes there and why they had chosen the village, knowing this. The decision was made on the suitability of the home with it's secluded location and large garden, they already have homes in locations with other children's homes and have not had any issues, the needs of the child are always taken into consideration when placing them in their homes.
- Will the children being placed in the home be local to the area and how are they going to be integrated them into the local community. Members were advised that it is preferred to have children that are local to the area, but this is not always possible, dependant on need etc. They try to place the children in mainstream schools, if possible, but do have a school in Grantham if they have special requirements. They do try and get the children involved with local clubs and events.
- The question was raised if the 6 parking spaces would be sufficient or if they would need to park on the road as well. Members were advised that they wouldn't require any further spaces.
- The Childrens home provider was also asked if all their existing properties were Class 2. Members were advised they do have some Class 3, but prefer to have Class 2, although the process is very complicated.

These were the points that were raised in the debate:

- Thanks were given to all who have worked on the application.
- Ofsted are not doing what they should and the law needs to be changed as planning are working within the criteria given.
- It was noted that one of the local homes is closing.

- There is a saturation in Redmile of care homes, and it is not right to replace much needed housing with care homes.
- There is a real need to look after vulnerable children, even if not stated in the local plan.
- The National Planning Policy states that developments should create environments that are safe and accessible and the fear of crime should undermine the quality of life.
- Should not let another company's way of running care homes prejudice any decision made.
- It was asked if temporary permission could be given for a year, Members were advised although it could be put into the conditions, it would be complicated to do, technically don't need planning permission to operate it would not be possible to enforce.

Councillor Allnatt proposed that the recommendations within the report are approved. Councillor Cumbers seconded the motion.

The Planning Committee voted against the motion and therefore it fell.

(For 1, Against 7, Abstentions 3)

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

RESOLVED

The Planning Committee REFUSED the application contrary to Officer recommendation.

(Unanimous)

REASONS

In the opinion of the local planning authority the approval of another children's care home in the village of Redmile would result in an unsustainable development, contrary to policies SS3 and C7 of the Melton Local Plan as there are already two other care homes in the village and insufficient services to cater for them. Furthermore, this would result in an unacceptable impact on the residential amenity of neighbouring properties. It is considered that an additional care home would exacerbate the fear of crime and contribute to existing anti-social behaviour and criminality being experienced in the village, contrary to the overall aims and objectives of paragraphs 96 and 135(f) of the NPPF.

PL74

Application 23/01133/TPO - St Thomas A Becket's Church, Church Lane, Frisby-on-the-Wreake

The Planning Officer (AC) addressed the committee and provided a summary of the application.

There were no public speakers.

The question was asked when the work would be carried out, Members were advised it would be done after the bird nesting season, but checks would be made to ensure there were no nests present.

Councillor Ian Atherton proposed the recommendation within the report be approved. Councillor Mason seconded the motion.

RESOLVED

That the application was approved subject to conditions set out in section 11 of this report.

(Unanimous)

REASONS

The reasons for approval are as outlined in the report.

At 7:18pm the meeting was adjourned. The meeting was reconvened at 7:28pm

At 8:47pm, Councillors Browne and Allnatt left and did not return.

PL75	Urgent Business There was no urgent business.
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The meeting closed at: 8.52 pm

Chair