

Minutes

Meeting name	Planning Committee
Date	Tuesday, 14 May 2024
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor A. Thwaites (Chair)

Councillors

P. Allnatt	I. Atherton
S. Atherton	R. Browne
P. Cumbers	M. Glancy
M. Gordon	L. Higgins
D. Pritchett	M. Brown (Substitute)

Officers

Assistant Director for Planning
 Planning Development Manager
 Legal Services Manager
 Planning Officer (MK)
 Planning Officer (HW)
 Senior Democratic Services and Scrutiny Officer
 Democratic Services Officer (SE)

Minute No.	Minute
PL76	<p>Apologies for Absence</p> <p>An apology for absence was received from Councillor Mason. Councillor Mike Brown was appointed as his substitute.</p>
PL77	<p>Minutes</p> <p>Minute PL73.2 - Application 23/00633/FUL - The Chestnuts, 12 Belvoir Road, Redmile</p> <p>An amendment was requested to add the word 'not' into the following sentence:</p> <p><i>The National Planning Policy states that developments should create environments that are safe and accessible and the fear of crime should not undermine the quality of life.</i></p> <p>Minute PL73 - Application 21/01318/FUL – Ashby Folville Manor, Gaddesby Lane, Ashby Folville</p> <p>A Member raised that their comment had not been included in the Minutes and the comment related to there being a precedent set.</p> <p>The Chair advised as that the application had been refused, there was no precedent set and also each application was judged on its own merits.</p> <p>Subject to the foregoing amendment, the Minutes of the meeting held on 4 April 2024 were approved as a true record.</p>
PL78	<p>Declarations of Interest</p> <p>Application 22/01014/FUL - Land South of Cedarwood, Lag Lane, Thorpe Arnold</p> <p>Councillor Ronan Browne declared a personal interest in the above application due to being an acquaintance of the applicant who was also the Chair of the Melton and Syston Conservative Association and as Leader of the Conservative group he had considered the perception of his participation and decided to leave the meeting for this item.</p> <p>Application 14/00777/OUT DOV – Land behind 38-48 High Street, Waltham on the Wolds</p> <p>Councillor Ronan Browne declared a personal interest in the above application as he worked for a housing association and had had a business relationship with Platform Housing being the applicant for this application. Therefore he advised that he would leave the meeting for this item.</p> <p>It was agreed to change the order of the agenda so that the above two items could be taken together to allow the Councillor to leave the meeting after having taken</p>

part in the other applications on the agenda.

Application 23/01159/FUL – Land off Ashby Road, Twyford

Councillor Higgins advised that he had intended to speak as Ward Councillor but had taken advice and had changed his mind on this position and would remain in the meeting and wished to raise some general concerns regarding flooding at a later point.

PL79

Schedule of Applications

PL80

Application 22/00063/FUL

Location: Land OS 481195 338112, Castle View Road, Easthorpe

Proposal: Change of use of agricultural land to accommodate 2no. gypsy and travellers pitches for a total of 2no. mobile homes, 3no. touring caravans, 1no. utility block, 1no. sewage treatment plant and area of hardstanding

The Planning Officer (MK) addressed the committee and provided a summary of the application. Following the presentation, Members asked questions for clarification.

Pursuant to Chapter 2, Part 9, Paragraphs 2.8-2.28 of the Council's Constitution in relation the public speaking at Planning Committee, the Chair allowed the following to give a three minute presentation:

Ben Wills, 360 Rural Limited, Objector

In relation to a point raised by the speaker regarding a tenancy agreement, the Legal Services Manager advised that the Planning Team did not have proof of tenancy. However, if there was a tenancy agreement already in place then any decision made would be invalidated.

Members were concerned at the legal position in this case and a deferral was discussed.

Councillor Glancy proposed that the application be deferred for the reasons given below. Councillor Cumbers seconded the motion.

RESOLVED

That the application be deferred for the reasons given below.

(Unanimous)

REASONS

The reasons for deferral were to establish the legality of the tenancy and enable the court judgement to be brought forward as well as the history to the arrangement which may involve a sworn affidavit.

Application 22/01373/OUT**Location: Land Between 9 And 15 Navigation Close, Melton Mowbray****Proposal: Outline permission sought for a detached dwelling with associated vehicular access (Detailed approval sought for means of access to the site; all other matters reserved for subsequent approval)**

The Planning Officer (MK) addressed the committee and provided a summary of the application. Following the presentation, Members asked questions for clarification.

Pursuant to Chapter 2, Part 9, Paragraphs 2.8-2.28 of the Council's Constitution in relation the public speaking at Planning Committee, the Chair allowed the following to give a three minute presentation:

- Iain Garnell, Agent
- Councillor Sarah Cox, Ward Councillor

During the debate, the following points were raised:

- Members were of the opinion the site would be better retained as community open space
- The original developer had not designated the site as amenity space however residents had used it as such and had planted trees there
- The nearest play area at Vulcan Close was a half mile walk around the road network as there was no cut through
- The application was considered to be an opportunist development
- The Planning Development Manager advised that this land was owned privately by an individual who could fence the land if they wished
- Several policies were considered for refusal
- It was considered that it sent the wrong message for the Council to agree to build a house on this site
- There was concern for protecting the ancient monument on the neighbouring site
- The Committee had strived on all new developments to include green space to enhance the lives of those that lived there so for this green area to be removed was against all those policies
- It was felt that this decision was made more difficult in having to go against the recommendation
- There were other windfall sites that could be developed rather than this one
- The loss of green space, loss of amenity for neighbours, over-intensification of the site, not in-keeping with the area, building on a green area, adverse impact on the area and sense of place, damage to wildlife habitats and loss of wildlife routes were all concerns and listed for reasons for refusal

Councillor Glancy proposed that the application be refused contrary to the officer recommendation. Councillor Allnatt seconded the motion.

RESOLVED

That the application be refused for the reasons given below.

(Unanimous)

REASONS

In the opinion of the local planning authority, the proposal represents an over-intensification of the site that is not sympathetic to the character of the area, in particular in respect of the impact on the amenity of the neighbouring dwellings and damage to the wider context of the estate, contrary to policy D1 (a) and (c) of the Melton Local Plan. The sense of place within the Navigation Close development would be eroded, and the development does not contribute to the character of the settlement by developing out a green space, contrary to policies EN1 and EN6 of the Melton Local Plan and paragraph 135 of the NPPF. Furthermore, by removing the openness of the site, the contribution that the site makes to the provision of coherent wildlife networks would be removed, causing damage to habitats to the detriment of local wildlife and protected species, contrary to policy EN2 of the Melton Local Plan.

At 8:15pm, the meeting was adjourned for five minutes.

PL82

Application 23/01159/FUL

Location: Land off Ashby Road, Twyford

Proposal: New Barn and sheep pens under cover lairage

The Planning Officer (HW) addressed the committee and provided a summary of the application. Following the presentation, Members asked questions for clarification.

It was noted that the applicant is a member of staff and therefore the Constitution requires that the application is determined by the Planning Committee.

Pursuant to Chapter 2, Part 9, Paragraphs 2.8-2.28 of the Council's Constitution in relation the public speaking at Planning Committee, the Chair allowed the following to give a three minute presentation:

- Councillor Mick Jones, Twyford & Thorpe Satchville Parish Council

As the meeting was approaching 3 hours in duration, in accordance with the Constitution, there was a proposal to extend the meeting beyond 3 hours. On being taken to the vote it was unanimously carried to continue the meeting.

During debate the following points were raised:

- Members were supportive of the Parish Council's concerns regarding the risk of flooding
- It was stated that for one small barn, the risk of impact on flooding may be

negligible

- The Assistant Director advised this was a very minor development, 400m from Twyford and there was no flood risk as a result
- It was reiterated that the only reason for it being presented to the Committee was due to being a member of staff's application

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

RESOLVED

That the application be approved subject to conditions detailed in Section 10 of the report.

(7 for, 3 abstentions, 1 against)

Councillors Cumbers and Higgins requested that their abstentions be recorded.

REASONS

The reasons for approval were as outlined in the report.

Upon the conclusion of this item, Councillor Browne left the meeting due to his interests declared at Minute PL78.

PL83

Application 22/01014/FUL

Location: Land South Of Cedarwood Lag Lane, Thorpe Arnold

Proposal: One replacement dwelling (demolition of existing dwelling), three new dwellings, new access road, public vehicle passing place, turning head and associated highways works

The Planning Officer (HW) addressed the committee and provided a summary of the application. The Planning Officer advised that two letters in support of the application had been received since the report had been circulated. Following the presentation, Members asked questions for clarification.

Pursuant to Chapter 2, Part 9, Paragraphs 2.8-2.28 of the Council's Constitution in relation the public speaking at Planning Committee, the Chair allowed the following to give a three minute presentation:

- Councillor Chris Gray, Waltham & Thorpe Arnold Parish Council
- Jane Breddy, Objector
- Richard Cooper, HSSP Architects, Agent

Councillor Higgins proposed that the recommendation within the report be approved. Councillor Siggy Atherton seconded the motion.

RESOLVED

	<p>That the application be approved subject to planning conditions detailed in Section 10 of the report.</p> <p>(Unanimous)</p> <p>REASONS The reasons for approval were as outlined in the report.</p>
PL84	<p>Application 14/00777/OUT DOV Location: Land behind 38 – 48 High Street, Waltham on the Wolds Proposal: Deed of Variation to Section 106 Agreement</p> <p>The Planning Development Manager addressed the committee and provided a summary of the application. Members asked questions for clarification.</p> <p>Pursuant to Chapter 2, Part 9, Paragraphs 2.8-2.28 of the Council's Constitution in relation the public speaking at Planning Committee, the Chair allowed the following to give a three minute presentation:</p> <ul style="list-style-type: none"> • Councillor Chris Gray, Waltham & Thorpe Arnold Parish Council • Val White, Objector <p>Councillor Ian Atherton proposed that the recommendation within the report be approved. Councillor Siggy Atherton seconded the motion.</p> <p>RESOLVED</p> <p>That the request for a Deed of Variation be AGREED in full:</p> <ul style="list-style-type: none"> • Tenure mix agreed in full • Nomination provision agreed in full • Removal of local connection for Rent to Buy and Shared Ownership units agreed in full • Mortgage clause agreed in full <p>(9 For, 0 Against, 1 Abstention)</p> <p>(Councillor Higgins requested that his abstention be recorded.)</p> <p>REASONS The reasons for approval were as outlined in the report.</p>
PL85	<p>Urgent Business There was no urgent business.</p>

The meeting closed at: 10:14 pm