

Minutes

Meeting name	Planning Committee
Date	Thursday, 26 April 2018
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor J. Illingworth (Chair)

Councillors

P. Posnett (Vice-Chair)	P. Baguley
G. Botterill	P. Cumbers
P. Faulkner	M. Glancy
T. Greenow	E. Holmes
J. Wyatt	A. Pearson (Substitute)

Observers

Officers

Solicitor To The Council (SP)
 Assistant Director for Strategic Planning and Regulatory Services
 Planning Officer (GBA)
 Applications And Advice Manager (LP)
 Administrative Assistant (KS)

Minute No.	Minute
PL94	<p>Apologies for Absence Cllr Chandler, who was substituted by Cllr Pearson</p>
PL95	<p>Minutes Minutes of the meeting held on 05.04.18.</p> <p>Where it reads “the floor plan has been designed to give more room when someone is less mobile” at the top of page nine, under application 17/01508 Cllr Holmes asked for reference to wheelchair bound persons to be added.</p> <p>Approval of the minutes was proposed by Cllr Holmes and seconded by Cllr Greenow. It was unanimously agreed that the Chair sign them as a true record.</p>
PL96	<p>Declarations of Interest None</p>
PL97	<p>Schedule of Applications</p>
PL97.1	<p>17/01325/REM Applicant: Bellway Homes - Paul Coleman Location: Land off Great Lane, Frisby on the Wreake Proposal: Application for approval of Reserved Matters - 16/00491/OUT - Outline application for residential development with associated landscaping, open space, drainage infrastructure and vehicular and pedestrian access. Additional Information: density of development and provision of pedestrian facilities.</p> <p>(a) The Development Manager (LP) presented the report and stated that: This application seeks approval of the reserved matters application following the granting of application 16/00491/OUT, the details for consideration are the design, appearance and scale of the proposed 53 dwellings along with associated layout and landscape. The County Highway Authority have responded to the queries that have been set out in the report and have stated the following “Road adoptions have advised that 1:15 would not be acceptable. Given the constraints on this site, it would not be acceptable to delay resolving this to be dealt with at the S38 stage as approving the reserved matters on the basis of a plan which has sub-standard gradients would then result in a situation where the approved plan would not pass the technical approval stage.” This information has been put back to the agent who has stated “In order to obtain the planning approval we accept that the roads will be at a gradient of 1:20 as per highways request.” It is considered that the development brings forward a reasonable mixture of housing which would contribute to identified needs and provides 21 affordable homes, the proposal is one that is allocated for housing in both the Local and</p>

Neighbourhood Plans, both of which are well advanced, and this adds significant weight to the proposed.

It is however noted that objection has been raised through representations received which predominantly relate to highways and drainage, both of which are to be further considered through the submission of additional details to both the Local Planning Authority and the County Highway Authority.

The proposal is recommended for approval as per the conditions of the report.

(b) Cllr Charles Sercombe, on behalf of the Parish Council, was invited to speak and stated that:

- Application is increase of 10% above outline permission
- Increased density
- Increased number of 4/5 bed houses, reduction of 2/3 beds
- 45% of existing dwellings are 4+ bed therefore already adequate stock of these
- Short of smaller single storey dwellings
- Single storey bungalows completely removed from application
- Bungalows give more opportunity for residents to downsize
- Does not enhance village
- Cumulative effect is detrimental

A Cllr asked what the number of properties on the outline permission was.

Cllr Sercombe stated that it was 48.

(c) Shaun Groom, an objector, was invited to speak and stated that:

- Concern for residents at southerly side of Great Lane
- Single storey properties would be more in keeping
- Impact on privacy
- Parking spaces for plots 9, 10 and 11 abut the properties 27 and 29 Great Lane
- Parking is close to boundary
- Tandem parking should be moved directly across from the properties
- The revised location of the foul water pumping station is still a concern
- Flooding issues
- Drainage from road into properties around concerns

A Cllr asked what the plot numbers to the rear of number 27 are.

Mr Groom stated they are plot numbers 9, 10 and 11.

A Cllr asked if there are currently sewerage and foul water problems at the moment.

Mr Groom said that there are none at present but the positioning of the houses causes concern.

(d) Simon Harrison, the agent, was invited to speak and stated that:

- Reserved matters application is the culmination of discussions with the LPA and local community
- Provides housing allocation of the Local Plan and Neighbourhood Plan
- Contributes to 5 year land supply
- Meeting housing needs
- Provides play area and seeks to retain trees and hedgerows to maintain habitats

A Cllr asked if the location of the parking spaces at plots 9, 10 and 11 could be moved.

Mr Harrison responded that it would need to be reviewed due to the open space allocation.

- (e) Cllr Ed Hutchison, the Ward Councillor, was invited to speak and stated that:
- Outline application presented as a gateway development with a good mix of housing, in keeping with area, additional play area and adoptable road
 - Reserved matters application is presented differently with 53 houses instead of 48
 - Imbalance with inclusion of 4/5 bed homes
 - 20% increase in the wrong direction
 - 50% reduction of bungalows
 - Sloping area with wet bog is not a play area
 - Need better housing mix and better central area, and road and sewerage infrastructure

A Cllr asked if any 2½ storey houses were in the original application.

Cllr Hutchison stated that the outline application never offered this.

The Development Manager stated that the permissions granted at outline stage did not contain conditions with regard to sizes, types etc. The description was “residential development”, stating no specification of or limit to the number of dwellings. The Neighbourhood Plan and the Local Plan mention approximately 48 dwellings, there is no limit to this number. The housing mix is not ideal but close to and concentrates on 2 and 3 bed houses.

A Cllr stated that 48 houses had been mentioned in the outline application.

The Development Manager confirmed this, however it was mentioned indicatively and there is nothing to bind this.

Cllr Holmes proposed to defer the application and suggested the applicants come back with a scheme nearer to what was suggested, i.e. 48 houses. Bungalows are needed so residents can downsize, and play area offered is inadequate.

Cllr Greenow seconded the proposal to defer and stated he has concerns for the location of the play area and the parking for plots 9, 10 and 11. Suggested a

mixture of houses including single storey dwellings across the front of Great Lane.

Cllr Holmes agreed with Cllr Greenow's suggestion.

A Cllr supported the proposal to defer and stated it would be an overdevelopment and looked better with 48 dwellings. Tandem parking doesn't work and it goes against the attractive entrance into the village. Better to have a mix of bungalows and 2 storey houses.

A Cllr stated that Frisby does not need 4 bed houses, it would be overdeveloped, play areas should be central and it does not meet the Neighbourhood or Local Plans.

The Assistant Director of Strategic Planning and Regulatory Services stated that with reference to the Frisby Neighbourhood Plan, priority should be given to 3 bed houses or lower. The proposal is for 53 homes, 34 of which are 3 bed or lower.

A Cllr asked if there was a photo or plan of the street view entrance to the village.

The Development Manager advised that is available online and the agent could be asked for further details.

A Cllr asked if the proposer would consider asking for a reduction in 4/5 bed homes and have 1 bed homes.

Cllr Holmes stated that she would like to see more bungalows.

The Chair confirmed the reasons for deferral as being the repositioning of the play area, the parking, and a need for more mixed dwellings.

A Cllr stated specifically the parking for plots 9, 10 and 11 and to include a mixture of dwellings on Great Lane.

A vote to defer the application was taken. 9 Members voted to defer and 2 Members abstained.

DETERMINATION: Defer, to invite discussion and amended plans to :

- **Reduce the number of houses to 48;**
- **Increase the number of bungalows;**
- **Revisit the parking for plots 9, 10 and 11;**
- **Revisit the house types, including single storey dwellings, across the front of Great Lane;**
- **Relocation of the play area**

PL97.2

17/01152/OUT

Applicant: Davidsons Developments Ltd and The Bicker Family

Location: Field OS No. 7000, Bescaby Lane, Waltham on the Wolds

Proposal: Outline planning application for up to 45 No. dwellings (Re-submission of 16/00793/OUT)

- (a) The Planning Officer presented the report and stated that:
- One update is the Parish Council has submitted their comments saying the proposal does not conform to neighbourhood plan policies Policy S1: Limits to Development; Policy H1: Housing Provision; Policy ENV4: Protection of Other Sites of Environmental (natural or historical) Significance; Policy ENV11: Ridge and Furrow Fields (edited); Policy ENV12: Protection of Important Views (edited); Policy ENV16: Groundwater Flooding; Policy T1: Transport Requirements for New Developments (edited)
 - Resubmission of 16/0793/OUT refused on 18/10/2017
 - New proposal not different to original scheme
 - Different policy position as not allocate in new local plan nor neighbourhood plan that security majority vote at referendum on 12/04/2018
 - Despite being a sustainable location as recognised as part of the last proposal's determination and section 106 contributions its lack of conformity with neighbourhood plan and local policies mean the proposal is refused.

The Chair asked Members if they would suspend standing orders to allow 2 objectors to speak. Cllr Holmes proposed to allow this and was seconded by Cllr Posnett. All were in favour.

(b) Malcolm Mills, on behalf of the Parish Council, was invited to speak and stated that:

- Contrary to Neighbourhood Plan
- Outside Neighbourhood Plan and Local Plan
- Contrary to housing provision
- Potential for archaeological remains
- Protection of important views
- Adverse impact on character setting
- Ground water for flooding
- Contrary to Policy ENV 16
- Adverse impact on High Street and surrounding area

(c) Geoffrey Hulland, an objector, was invited to speak and stated that:

- Site not identified as new housing development
- Policy OS2 allows development for recreation etc., not housing
- Close to old quarry which is an SSSI site
- Abuts conservation area
- Bescaby Lane and High Street cannot sustain extra traffic
- Local school is almost at full capacity and face the probability of existing families having children bussed to other schools
- Flooding issues
- Facility to walk Bescaby Lane would be lost

A Cllr asked Mr Hulland to expand on his point about the school and busing people in.

Mr Hulland stated that the capacity is already fairly tight and if there are no changes

to the infrastructure existing families in Waltham may not get their children into the school.

(d) Malcolm Mills, on behalf of Teresa Tunstall, an objector, was invited to speak and stated that:

- Site not in Local Plan
- Heritage asset
- Flooding issues
- Increase traffic congestion on High Street
- Previous reasons for refusal still stand
- In conflict with Neighbourhood Plan

(e) George Machin, the agent, was invited to speak and stated that:

- Sustainable location
- Previous refusal reasons overcome
- Conservation Officer has no concerns relating to the ridge and furrow
- No objection from archaeology
- Highways deem is acceptable subject to conditions
- Contribution to school so it can expand
- Addition of crossing close to school gives safety to students
- Affordable housing
- Site capable of accommodating up to 45 dwellings
- Modest proposal
- Long term viability
- Benefits outweigh harm

The Planning Officer stated that the appropriate authorities can mitigate factors such as flooding, highways and SSSI.

Cllr Holmes proposed to refuse the application in line with the officer's report as the weight of the Neighbourhood Plan is important. Waltham has already met its allocation of houses.

Cllr Baguley seconded the proposal to refuse due to the application being against the Local Plan.

A Cllr stated that they supported the refusal as they could not go against the Local Plan as this late a stage.

The Chair agreed and stated the proposal is in conflict with the Neighbourhood and Local Plans.

A vote was taken and it was unanimously decided that the application should be refused.

DETERMINATION: REFUSE, for the following reasons:

1. The development proposed by virtue of its siting outside of the limits

to development for Waltham on the Wolds and not part of allocated sites, it is therefore in contrary to policy H1 of the Waltham on the Wolds neighbourhood plan. There are no other material considerations that have been deemed to override this neighbourhood plan policy conflict

2. The development proposed by virtue of its lack of inclusion as an allocated site for development in the emerging local plan for Melton 2011-2036 is contrary to SS2 and SS3 of the emerging local plan 2011-2036. There are no other material considerations that have been deemed to override this development plan policy conflict.

PL97.3

18/00234/VAC

Applicant: Mr Ross Whiting

Location: 91 Grantham Road, Bottesford

Proposal: Partial variation of condition 3 (To allow the obscure glazed windows indicated on the plans to be top hung only and obscure glazed) of planning approval 15/00924/VAC Residential development of 2 Dwellings

a) The Planning Officer presented the report and stated that:
Retrospective application for retention of obscure windows and opening for two house scheme at 91 Grantham Road, Bottesford.
To summarise report despite being retrospective, the windows are not considered to compromise amenity substantially to warrant refusal and enforcement action. The Ground floor faces timber fencing and windows at first floor bathroom only that is non principle room

(b) Shelagh Woollard, an objector, was invited to speak and stated that:

- Windows previously conditioned to be obscured
- Adverse impact on privacy
- Noise issue
- Opening windows are not needed
- Previous condition should be enforced

A Cllr stated that they could not support the application as the NPPF states that conditions should be reasonable and fair. This condition protects the amenity of the neighbour.

Cllr Greenow proposed to permit subject to the officer's report.

Cllr Posnett seconded the proposal to permit.

The Chair stated that he could not support the proposal to permit and stated that they could not go against the condition.

A Cllr stated that windows do not need to open in order for ventilation now.

A vote was taken to permit the application. 3 Members were in favour. 8 Members voted against.

Cllr Baguley moved the recommendation to refuse the application.

Cllr Faulkner seconded the proposal.

A vote was taken to refuse the application. 8 Members voted in favour of refusal. 2 Members voted against. 1 Member abstained.

DETERMINATION: REFUSE, for the following reasons:

1. The retention of the windows in the side elevation that can be opened are deemed to cause an undue loss of amenity in terms of privacy and therefore in contrary to policy BE1 of the Melton Local Plan and paragraph 17 of the NPPF as a core planning principle.

2. The application does not maintain public confidence in the planning system and therefore is contrary to paragraph 207 of the NPPF and the letter to Chief Planning Officers on 31 August 2015 which introduced a planning policy to make intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals.

PL97.4

18/00208/FUL

Applicant: Caister Castle Trust

Location: Old School House, 2A Church Lane, Wymondham

Proposal: Change of Use to form 3no. dwellings including the demolition of the old canteen area [Re-submission of 17/01107/FUL]

- (a) The Planning Officer presented the report and stated that:
Application is a re-submission of 17/01107/FUL for same development which was refused on 1/2/18 for failing to provide in parking in line with policy H7. One update is an objection that was received on Sunday that follows same lines as that mentioned in report
New proposal now adds this space which is deemed acceptable in line with the NP policy.
All other considerations remain the same and therefore approval is recommended.
- (b) Christian Semmens, on behalf of the Parish Council, was invited to speak and stated that:
- Overdeveloped
 - In breach of Policy H7
 - Addition of parking space does not address previous concern
 - Extra traffic
 - Dangerous
 - Conflicts with T1 Policy
 - No attempt to identify how noise issue will be addressed
 - Conflict with activities of village hall
 - Extreme proximity to village hall
 - Expensive repercussions

- Loses amenity value
- Detrimental impact on village hall
- Over intensification
- Breaches of Policies H7, T1 and CF1

(c) Adam Murray, the agent, was invited to speak and stated that:

- Sustainable
- Revised version of scheme
- Issues of insufficient parking has been dealt with
- Level of development concerns noted
- Includes noise mitigation process
- No impact on village hall
- In accordance with Neighbourhood Plan

A Cllr asked for clarification on the previous reasons for refusal.

The Assistant Director of Strategic Planning and Regulatory Services stated that the minutes of that meeting read “intensification leading to car park issues” and that the reason was stated in full at the beginning of the report, for reference

A Cllr asked if the parking space had been measured as it looks small on the plans.

The Planning Officer confirmed that Highways deem it sufficient.

A Cllr had concerns that the layout of the car parking would cause issues for cars trying to get out.

The Planning Officer stated that both spaces in concern would be allocated to one home and it would be up to the residents to deal with this.

Cllr Botterill proposed to refuse the application as there is not enough room in when the village hall empties out, so it doesn't work in this location.

Cllr Holmes seconded the proposal and stated that it is an over-intensification and there is no room to get cars down the road.

A Cllr asked if there are any rules on noise generated from the village hall throughout the day and they are used constantly.

The Chair advised that day time use needs no regulation.

The Chair asked the proposer if the reason of overdevelopment in the previous refusal still stands.

Cllr Botterill confirmed it does and stated the village hall is too near to the development. Cllr Botterill stated that nothing has changed.

A Cllr stated that they could not support refusal as the application includes reuse of an old building and does not want to end up with dilapidated old buildings.

A vote was taken. 7 Members voted in favour of refusal. 4 Members voted against.

DETERMINATION : REFUSE, for the following reason:

The proposed development by virtue of the overdeveloped nature of the proposal fails to provide a sufficient amount of private parking for the number of dwellings proposed and this therefore would be likely encourage the parking of vehicles on the public highway which already experiences a high level of on-street parking, and would be a source of severe danger and inconvenience to other users of the highway. This is contrary to Policy H7 of the Wymondham and Edmondthorpe Neighbourhood Plan adopted in November 2017.

PL97.5

18/00123/FUL

Applicant: Mr D Phipps

Location: Buckminster Lodge Equestrian Centre, Wymondham Road, Sewstern

Proposal: The proposed alterations and conversion of former agricultural buildings.

- (a) The Development Manager presented the report and stated that:
This application is for full planning permission for the conversion of existing buildings on the site to associated ancillary space for the British Model Flying Association model flying visitor centre and model flying site. The existing buildings form part of a range of former agricultural / equestrian buildings forming a courtyard at the centre of the built form of the site.
The proposal would utilise the existing access which already serves the site and was upgraded as per the conditions attached to the 2016 approval, prior to the centre opening in 2017.
The principal of the use of the site as the BMFA's model flying and visitor centre was established in the planning permission granted in 2016, and the highway authority raised no objection at that time. The highway authority has not objected to this application.
The application is recommended to be approved, subject to conditions as set out in the report.
- (b) Kate Bygott, on behalf of the Parish Council, was invited to speak and stated that:
- No objection to conversion into accommodation
 - Increase in traffic
 - Intensity use of centre
 - 50-100 persons will visit throughout year
 - Traffic issues intensify
- (c) Manny Williamson, the agent, was invited to speak and stated that:
- Provides positive addition to area
 - Educational aspects
 - Benefits to local amenity
 - Provided employment
 - Minimum local impact on amenity

- Limits noise
- Bank holidays designated for silent flight
- Traffic situation monitored
- Impact on roads negligible
- No detrimental effect on environment
- Significant long term development of lodge
- Strong links with the community

The Development Manager clarified that the Parish Council were consulted and the dates in system confirm this. No objection from Highways.

Cllr Botterill proposed to permit the application as it is a good use of buildings; it is not crowded and is an ideal location.

Cllr Posnett seconded the proposal to permit and stated that rural activities should be encouraged, young people can get involved, it has created employment, and has an educational aspect.

A Cllr stated that they supported the proposal as it is a good reuse of buildings.

A vote was taken and it was unanimously decided that the application should be permitted.

DETERMINATION: PERMIT, subject to the conditions as set out in the report.

For the following reasons:

The conversions are sympathetic, and retain the general overall appearance of converted stable blocks, and the conversions are not considered to have a negative impact upon the character and appearance of the open countryside.

Whilst there have been objections principally relating to traffic movements, the small scale development proposed in this application is unlikely to have a severe cumulative impact upon the safety of the highway. The principal of the use of the site as the BMFA's model flying and visitor centre was established in the planning permission granted in 2016, and the highway authority raised no objection at that time. The highway authority has not objected to this application.

For these reasons stated above, the proposals are considered in accordance with local and national planning policy (NPPF) and no other material considerations indicate it should depart from these.

PL98

Update Report 16/00704/OUT

Item 5 – Report of the Assistant Director of Strategic Planning and Regulatory Services: Update Report 16/00704/OUT Residential Development of up to 48 dwellings; Leicester Road, Frisby on the Wreake

(a) The Assistant Director of Strategic Planning and Regulatory Services presented the report.

Cllr Cumbers proposed to move the recommendation.

Cllr Wyatt seconded the proposal.

A Cllr asked if left to reserved matters will the footpath be put in and suggested it was best to condition now.

The Assistant Director of Strategic Planning and Regulatory Services stated the description refers to 48 houses and all of the component parts that make up the application, including the footpath. When the reserved matters application comes in it will need to display all those components.

A vote was taken and it was unanimously decided that the recommendation be moved.

DETERMINATION: PERMIT in accordance with the Section 106 Agreement and conditions as originally concluded on 7th September 2017 and an additional condition that details submitted under condition 2 above (reserved matters) shall provide for the erection of houses limited to the area identified by the area hatched red in the attached Plan

PL99	Urgent Business
PL99.1	Exempt Item The Chair moved the minute to recommend that the public be excluded during consideration of the following item of business in accordance with part 1 of schedule 12A of the Local Government Act 1972 Access to Information exempt information numbers 1 to 11. This was agreed unanimously.

The meeting closed at: 8.01 pm

Chair