

Minutes

Meeting name	Planning Committee
Date	Thursday, 31 January 2019
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
E. Holmes	B. Rhodes

Observers

Officers

Solicitor To The Council (RP)
Assistant Director for Strategic Planning and Regulatory Services
Development Manager (LP)
Administrative Assistant (AS)

Minute No.	Minute
PL60	<p>Apologies for Absence</p> <p>Cllr Greenow was not present at the meeting.</p> <p>Cllr Bains sent his apologies and was substituted by Cllr Higgins.</p>
PL61	<p>Minutes</p> <p>Cllr Posnett (Vice-Chair) chaired the meeting.</p> <p>Minutes of the meeting held on 13th December 2018</p> <p>The Assistant Director of Strategic Planning and Regulatory Services stated that Cllr Cumbers and Cllr Baguley had been approached by the Parish Council about their contributions to the Members debate regarding application 18/00721/OUT and how this was recorded in the minutes. They felt it should have been expressed in more comprehensive terms however legal advice had been taken and how the minutes are drafted is adequate. But equally there is no issue if the Members wanted to amend the minutes to include the longer version.</p> <p>Cllr Cumbers added that there had been no question that anything they said was untrue, it was just that the Parish Council wanted additional information. Happy that it is accurate and doesn't see a particular need to enlarge on it.</p> <p>Cllr Higgins clarified that the wording for item number PL57 should state that he did not have an interest in application 18/00721/OUT and that the Monitoring Officer and Solicitor had also confirmed this however he still left the room voluntarily.</p> <p>Cllr Posnett confirmed with Members that they were happy with the minutes subject to the above amendments.</p>
PL62	<p>Declarations of Interest</p> <p>Cllr Rhodes declared a personal interest in any matters that may arise relating to the County Council as a County Councillor.</p> <p>Cllr Posnett declared a personal interest as a County Councillor for any matters that may arise in the meeting.</p>
PL63	<p>Schedule of Applications</p>
PL63.1	<p>18/01435/FUL</p> <p>Applicant: GHM Planning Ltd - Mr Joe Mitson</p> <p>Location: Field OS 8900, Folville Street, Ashby Folville</p> <p>Proposal: Erection of two single storey dwellings</p>

- (a) The Development Manager stated that: This application seeks planning permission for the erection of a pair of semi-detached single storey dwelling and associated car parking on and to the South side of Folville Street in Ashby Folville which lies within the designated conservation area.

This application is the first of its type for member's consideration and is presented with an evidence base surrounding Policy SS3 of the adopted Melton Local Plan. Members will have noted the objections to the proposal presented within the report along with an additional representation that has been received after the publication of the report, the additional objection makes reference to design and overlooking along with flooding, highways safety and future use of the site, these items are already sufficiently covered within the report. Members' attention was drawn to page 29 of the report that sets out the Policy SS3 argument as it is that which will ultimately decide whether the principle of the development is acceptable. The principle is considered to be supported in this case and the application is recommended for approval subject to conditions.

- (b) Mrs Whitby, on behalf of the objectors, was invited to speak and stated that:
- Major concerns about the development and would like Members to confirm that they have read her letter dated 27th January. Asked that objections would be reviewed and feedback given in writing before any decision is made.
 - Feel that an independent assessment of flood risk, environmental impact and road safety impact should be undertaken before any decision is made.

Asked Members to reassure her that they had read her letter.

The Solicitor to the Council advised Mrs Whitby that the Members are not obliged to give any assurances of that kind. They are here to determine a planning application and want to hear your views before a decision is taken. Advised that she will probably get a response to her letter but unable to guarantee if that will be before a decision is issued.

Mrs Whitby continued to speak and stated that:

- Do not concur with the report regarding the road safety risk regarding the four car parking spaces.
- Concerned about future development on the land and the motivations of the applicants.
- We brought the property at a premium because it wasn't overlooked and where it sat in the village. Duty of care to protect residents from being overlooked.
- Ashby Folville has a history of flooding and this could increase the risk of flooding.
- Design of the dwellings will not blend well with the landscape.

A Cllr asked Mrs Whitby to point out where her property is on the map.

Mrs Whitby replied that her property faces directly opposite.

A Cllr asked for more information about the flooding and if it had ever flooded on to the road.

Mrs Whitby responded that there is a pond in the centre of the field and that there is some drainage. She didn't know about the flooding on to the road as it had never flooded.

The Development Manager responded to the concerns regarding:

- the four additional parking spaces and sub optimum deficiency - Highways haven't assessed this as it is for less than 5 dwellings. Relied on Officers understanding of standing advice which is used for up to 5 dwellings. Officer assessment found that there is not severe impact or deficiency in parking numbers therefore we don't believe there is a highway concern.
- future development on the land - Members are able to, if they wish, add conditions which have already been recommended by the Officer. These can include occupancy and future development if required. Overlooking is already discussed within the report.
- Flooding – it is in flood zone one and the intention of the scheme is to provide a soakaway to take water away from site.
- Design – it is a predominantly brick and timber design. Confusion due to the artists impression but there is a condition regarding materials.

A Cllr raised concerns regarding if there is a local need for two dwellings.

The Development Manager advised that it is an existing resident of the village who will vacate their current property and move in to one of the dwellings and due to health/age their family member/care giver will occupy the other new dwelling.

A Cllr asked if there was a reason why the Lead Local Flood Authority hadn't commented although it is outside of flood zone one.

The Development Manager responded that flood zone one surrounds it and that the LLFA only deal with major applications which is above 10 dwellings.

A Cllr noted that Ashby Folville has a very unique character. Concerned at removing that character however people have written saying that they do want development in that area. Concerns if the field had an over intensification of development on it. Asked officers to help with the condition on the rest of the site. If the rest of the site is developed then Ashby Folville is in much need of affordable housing.

A Cllr asked for clarification of the separation distance from Mrs Whitby's house and the development.

It was confirmed that the separation distance is 70 metres and a comment was made that the minimum is normally circa 20m, so it is not a factor that can be found unacceptable as it is 3 times greater.

A Cllr asked for the response of the conservation officer.

The Development Manager confirmed that they did not have this.

A Cllr raised concerns regarding the materials as it looks to be rendered in white on the illustration. Hoped it would be brick and dark timber cladding like the other dwellings nearby on the bend.

The Development Manager confirmed the nature of materials as brick and timber, and that they can be conditioned.

Cllr Holmes proposed to defer the application whilst the Conservation Officer's comments are sought.

Cllr Faulkner seconded the proposal due to the need for further information.

A Cllr noted that there was enough in the report to move forward with a decision. There are no heritage assets so didn't think there would be a recommendation for refusal from the Conservation Officer. We should condition the materials with input from the Ward Cllr and residents.

Several Cllrs agreed with the concerns regarding the Conservation Officer comments.

A Cllr commented if there had been any concern from the village it would have been noted and there is very little.

A vote was taken and 4 Members voted in favour of deferral and 5 Members voted against deferral. There was one abstention.

Cllr Glancy proposed to approve the proposal with conditions for materials to be decided by officers and the chair of the planning committee. Also subject to the conservation officer report

Cllr Botterill seconded the proposal. There are not a lot of objections.

A Cllr asked for a point of the clarification with regards to the rest of the field. The Assistant Director of Strategic Planning and Regulatory Services if any other applications were submitted then they would be treated in their own right.

A vote was taken. 5 Members voted in favour to permit and 4 voted against. There was one abstention.

Determination:

- (i) Permit, subject to the conditions as set out in the report**
- (ii) Discharge of the condition relating to materials is carried out in consultation with the Chair**

Reason: The application seeks permission for two modest and sensitively

	<p>designed semi-detached bungalows to meet the housing needs of elderly long term residents of Ashby Folville who wish to downsize to a single storey dwelling and to retain a degree of independence while being cared for by family members. The applicants wish to retain their connection to Ashby Folville and no suitable dwellings are available on the open market. The application site is considered to represent a windfall site within the village of Ashby Folville. The principle of development in this case is considered to be supported by Policy SS3</p>
PL64	<p>Deed of Variation 17/00641/OUT OS Fields 8456 7946 And 9744, Normanton Lane, Bottesford</p> <p>The Development Manager stated that the purpose of this report is to consider amendments to the s106 agreement associated with this application that have been requested by the applicant and to invite the Committee to consider the applicant's request to vary the s 106 currently in place to:</p> <ul style="list-style-type: none"> (i) Operate the car park with a minimum charge to users of £1 to park for the day (previously no charge was intended). (ii) To require provision of a New Railway Car Park within six months of completion of the Development. <p>Information provided by applicant has suggested that the amendment to the timing is due to health and safety reasons and members of the public entering an active building site to part their cars. The request for the ability to charge would ensure that the car park can be suitably managed and maintained with the funding paying for such items as security measurements.</p> <p>A Cllr noted that if there was a possibility to gain an income from the car park that the Council should investigate the options. Concerns regarding vehicles trying to access a car park via a construction site.</p> <p>There were discussions regarding the car parking charges and the maintenance of the car park.</p> <p>Cllr Rhodes proposed to refuse the variation due to concerns about the length of time until the car park would be completed, safety of cars coming in and out of the carpark and condition regarding the last house being occupied before completion of the car park.</p> <p>Cllr Botterill seconded the proposal to refuse.</p> <p>Cllrs added their concerns regarding the last house and the completion of the car park.</p> <p>A vote was taken. 8 Members voted for refusal and 1 Member voted against. There was one abstention.</p> <p>DETERMINATION: Refuse</p>
PL65	DM Performance Report - Quarter 3 2018/19

	<p>The Assistant Director of Strategic Planning and Regulatory Services was pleased to announce they were healthy figures for the quarter from October to December 2018, although the appeals data was less impressive reflecting a period when we were working in a fluid situation under the NPPF. The planning service review has arrived today and we will look at turning the recommendations in to a plan and deliver those improvements.</p> <p>A Cllr commended the planning officers and felt the Planning committee leads the whole council with their openness and is an example for the rest of the Council.</p> <p>A Cllr noted that the whole council has gone through a tremendous amount of change and that Central Government were imposing a lot of changes. There will be a new system in May. The team is very supportive and improvement is not a bad thing.</p>
PL66	<p>Urgent Business</p> <p>None</p>

The meeting closed at: 7.07 pm

Chair