

Minutes

Meeting name	Planning Committee
Date	Thursday, 30 May 2019
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor M. Glancy (Chair)

Councillors	P. Posnett (Vice-Chair)	P. Chandler
	P. Cumbers	J. Douglas
	P. Faulkner	L. Higgins
	E. Holmes	J. Illingworth
	M. Steadman	P. Wood

Observers

Officers

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

Minute No.	Minute
PL87	Apologies for Absence None
PL88	Minutes Minutes of the meeting held on 25th April 2019 Approval of the minutes was proposed by Cllr Faulkner and seconded by Cllr Higgins. The minutes were approved.
PL89	Declarations of Interest Cllr Higgins stated that he did not have a pecuniary or personal interest in application 18/01111/FUL Field OS 2713 2100, Longcliff Hill, Old Dalby, however he was aware that there were suggestions that the land used to be under the ownership of the leader of the council. Upon checking with officers it isn't owned by a member of the council but will abstain from the vote for transparency in his capacity as Deputy Leader of the Council. Cllr Posnett declared an interest as a Leicestershire County Councillor.
PL90	Schedule of Applications
PL90.1	18/01111/FUL Applicant: HSSP Architects Limited Location: Field OS 2713 2100, Longcliff Hill, Old Dalby Proposal: Residential development on land off Longcliff Hill, Old Dalby that currently benefits from 3 outline planning approvals 16/00911/OUT, 16/00184/OUT, 17/00743/OUT (a) The Development Manager stated that: The application before you is a full planning application for 36 dwellings, a briefing paper presented to members on Tuesday confirmed that there was an error within the report and the proposal seeks to replace 3 previous outline approvals which totalled 32 dwellings meaning a net gain of 4 dwellings. A number of questions were asked by members at briefing and I now have the answers to these which I shall answer in turn. <ol style="list-style-type: none"> 1. With regards to the part q agricultural conversion on the site, this was considered and the access deemed suitable to serve the proposed additional dwellings alongside this proposal. 2. The NHS Section 106 contribution has been discussed with them and the NHS consultee and confirmed that they are happy for the monies to go to Long Clawson not Latham House.

3. Garages provided within the scheme have been measured and accord to the standards required considering the garages as parking spaces.
4. With regards to the public footpath and the crossing of vehicles over this, The county Footpaths officer raised no objections to the layout however advised that an additional condition could be added so that prior to commencement of development details of the footpath shall be submitted to and approved in writing by the Local Planning Authority, which would ensure the provision of a two metre wide footway adjacent to the carriage way and the continuation of the footpath adjacent to plots 28 and 29 rather than linking into the highway.
5. The density of this and previous schemes have been calculated
This application for 36 dwellings is on 1.57ha of land and equals 22.92 dwellings/ha
17/00743 was for 7 dwellings on 0.4562 ha of land equals 15.33 dwellings/ha
16/00911 was for 8 dwellings on 0.36ha of land equals 22.22 dwellings/ha
16/00184 was for 20 dwellings on 0.9836ha of land equals 20.33 dwellings/ha.
It should also be noted that should permission be granted there needs to be a change to the list of plans provided within the committee report.
Since the printing of the committee report, comments have been received from the County Highway Authority who raise no objection subject to certain conditions being added to any permission granted.
The proposal before you comprises a full application for the erection of 36 dwellings, associated infrastructure and landscaping. Revised plans have been received amending the layout to address visual amenity issues and issues raised through the consultation process.
The site already has the benefit of outline permission and the increase of 4 dwellings is not considered to be a significant increase. The proposal through amendments would secure a high standard of design and ensure satisfactory amenity for future and existing occupiers.
As such the application is recommended for approval subject to conditions and the inclusion and amendment of conditions along with the altered section 106 contributions.

(b) Cllr Kim Lee, on behalf of Broughton and Old Dalby Parish Council, was invited to speak and stated that:

- The parish council couldn't support the application in its current form, with regards to the number of dwellings, design and character.
- Suggested reduction in numbers and amendments to design.
- Concerns regarding the footpath and hedge way.
- Unsustainable - small village, no shops, limited transport.
- Adverse impact upon village environment.
- Not in line with policy H3B of neighbourhood plan
- Highways concerns – Longcliff hill is a narrow road. Limited off street parking. Busy during term time. Sharp bend adjacent to exit. Additional vehicle movements will have a severe impact on highway. Not enough

information provided.

- Concerns regarding density, height of proposed dwellings and overlooking current properties.
- Who will be responsible for the maintenance of public/shared areas.
- Public rights of way and access preservation is vital.

A Cllr asked for clarification regarding the responsibility of maintenance for a play area as there doesn't appear to be provision for one in the scheme.

Cllr Lee responded that he was referring to the amenity space as there is no play area.

A Cllr asked for clarification of the density and if it was in keeping with the rest of the village. Also comparison of the density to an adjacent site.

Cllr Lee responded that there is slightly less density and the concerns were mainly the character of the taller three storey houses, which would obstruct views and look into houses.

A Cllr noted that on the site inspection immediately to the right, there are already 2 and 3 storey houses with dormer windows in the roof.

Cllr Lee responded that they are on a lower incline. The proposed development is on higher ground and are will overlook and impact views.

(c) Dr Sandra Taylor, on behalf of the objectors, was invited to speak and stated that:

- Speaking on behalf of over 100 residents and many who didn't get the opportunity to sign the petition.
- Make a decision which is consistent with the original permissions.
- Net gain of 7 houses.
- Commitment to retain hedge and footpath.
- Rural character would be destroyed.
- Destruction of the hedge has already taken place as the photos show.
- Out of keeping with the rural community.
- Loss of amenity.
- Loss of nature corridor.
- Stay within the original approvals which are more consistent.
- If approved, we will appeal to the secretary of state regarding the loss of the footpath.

A Cllr noted that the plan indicated quite significant hedgerows.

Dr Taylor responded that the nature corridor would have two roads over it which the public and animals won't want to traverse. The footpath is heavily used by pedestrians.

A Cllr asked if Dr Taylor would reconsider the word destroyed due to the amount of hedgerow left behind on the photos.

Dr Taylor that she wouldn't as the hedges have been thinned so you can see through them and they used to be dense.

(d) Nick Cooper, agent for the applicant, was invited to speak and stated that:

- Application is for 36 houses. The land already has the benefit of 3 separate outline approvals with S106 contributions but this is aiming to amalgamate and reduce the amount of roads required and allow for extra properties.
- Net increase of 4 dwellings. New layout amalgamated 3 designs.
- Provides social benefits such as contributions for Primary & secondary education, civic amenities and NHS.
- Will retain hedge, footpath and ecological corridor.
- Management Company to maintain open spaces.
- 3 plots already constructed. Current application is ranging from two to five bed houses and bungalows. Compliments its setting.

The Development Manager reminded Members that the village is a rural hub and there are allocations and sustainability for development. The real consideration is the 4 extra dwellings and if they would cause any harm and if so, how.

A Cllr asked for clarification regarding the number of storeys.

Mr Cooper responded that they would be two storey on the right and two and a half on the left.

A Cllr noted that the first speaker stated they were on higher ground.

The Development Manager stated that we don't have the site levels.

A Cllr stated that bringing the three applications together was like creating an urban development. Concerns regarding the hedge and who would be responsible for maintaining what is left. The maintenance should be a condition. Concerned there is no play area and there is nowhere in the development to put one. Concerns regarding road safety as Longcliff hill is a busy road. The density is 22.92 and 30 is the benchmark.

A Cllr noted an 18.6% increase in density and asked if the site is larger than the three separate previous ones. Noted a point of order, that this application supersedes the three previous applications and should be consider on its own merits.

The Assistant Director for Strategic Planning and Regulatory Services reminded Members that if this application should be refused they can still refer back to the previous approvals. However, if this application is approved they will have a choice

between both. We have an established baseline. The question is, what difference the additional four dwellings would make.

A Cllr raised concerns regarding density, parking issues, the adoption of the road, the number of dwellings, lack of a play area and road safety.

Cllr Holmes proposed to defer the application as they require more information. Not enough school places. Concerns regarding car parking spaces and road safety especially in winter. Need to know the building heights. Not enough time to consider LCC highways information. The ecological corridor doesn't go all the way along so it isn't a corridor. Concerns regarding a smelly ditch which was seen on the site visit and they don't have any information about it.

Cllr Posnett seconded the deferral and added that she has concerns regarding the lateness of the highway report. She asked the agent to note the comments of highways and address those issues as well as the parking concerns. Also asked for clarification regarding the adoption of the road so there are no future resident arguments regarding paying for the road as this shouldn't be causing residents distress. We have to get this right so we can defend our decisions. Will take up the matter with LCC regarding the lateness of report.

The Assistant Director for Strategic Planning and Regulatory Services asked Members for more guidance regarding the facts they want addressing

Cllr Holmes responded: sewerage, highways, the green corridor, the number of storeys, lack of play area and who is going to maintain the road.

The Assistant Director for Strategic Planning and Regulatory Services responded that the sewerage would connect to the main sewer.

Cllr Holmes noted that the ditch is opposite and not on the site. Confirm ownership of it. Also would like to see fewer houses on the site.

A Cllr raised their concerns regarding the maintenance of the hedge and the potential obstruction over the footpath when it grows.

The Solicitor to the Council noted that the agent has stated that maintenance will be handled by a management company.

A Cllr noted that hedges weren't mentioned with regards to the management company and that this needs to be specified.

The Solicitor to the Council responded that it is not normal for hedges

A Cllr suggested a covenant.

The Assistant Director for Strategic Planning and Regulatory Services confirmed that details are to be agreed in the management agreement.

A Cllr expressed they did feel confident that it always happened.

The Solicitor to the Council noted that he is in charge of looking after the planning agreements and would make sure it happened.

A Cllr asked if the new number of dwellings now meant that it would have to have a play area. They noted that if the smelly ditch falls outside of the site it is not a planning consideration.

The Development Manager noted that within the new local plan regarding play areas it states, where there are identified local deficiencies.

A Cllr commented that a play area is needed due to the number of dwellings and the small gardens.

The Assistant Director for Strategic Planning and Regulatory Services responded that it is not listed in the local plan as a deficiency. Open spaces contribute to the overall.

A Cllr noted that the number of dwellings are not in keeping with the area and they are more elevated and quite intimidating buildings. Would obstruct the view from the top of Longcliff Road. Concerns regarding the parking spaces as the garage appears to be taken as a parking space. This would lead to tandem parking or more. People are not going to keep moving their cars when leaving for work in the early hours of the morning which would lead to parking on the road. Suggested a community car park.

A vote was taken. 6 Members voted in favour of deferral and 2 voted against. There were 3 abstentions. Cllr Higgins asked for his abstention to be recorded.

Determination: Deferred in order to seek clarification of issues regarding, density, car parking and road safety, school places, maintenance of hedgerows and ecology and dwelling heights and levels.

PL91

Development Management Performance Report - Quarter 4 2018/2019

The Development Manager noted key points of the report and highlighted that Major applications were at 100% which is fantastic and Minors were at 87.6% which is quite a way above what is seen as an acceptable standard.

Appeals have increased but feel this is the remains of the old local plan. This time next year hopefully will be reporting a better appeal status.

Filled the 2 vacant planning officer posts. 1 of which is an existing member of staff which is excellent.

Appeal decisions have provided clear guidance regarding heritage assets.

	<p>A Cllr noted that there has been alarm from residents regarding the building numbers in the neighbourhood plan as they thought it meant you can't have more buildings above those noted in the plan.</p> <p>The Assistant Director for Strategic Planning and Regulatory Services advised that they are pitched as minimums.</p> <p>A Cllr asked if they could visit sites where decisions have been overturned at appeal.</p> <p>A Cllr congratulated the planning team and noted that 100% it excellent and asked if there is reason why it is not so good for minors.</p> <p>The Development Manager responded that there is an 8 week deadline for minors and they can be more contentious.</p> <p>A Cllr commented that they need to more notice of trees and hedges coming down.</p> <p>The Assistant Director for Strategic Planning and Regulatory Services responded that trees are a component of the design and they need to judge which aspects are most important.</p> <p>A Cllr asked if they could replant what is taken down</p> <p>The Assistant Director for Strategic Planning and Regulatory Services noted that the philosophy is there but they could condition which will stay and go. The judgement is if the losses are acceptable or not.</p> <p>A Cllr noted they should have guidance on what trees they can plant as a lot of forest trees are used which become too big.</p> <p>A Cllr noted that they would like MBC to focus on the planting of new trees and retaining wildlife corridors and get recognition and rewards for doing this. They also thanked the team for the excellent report and figures.</p>
PL92	<p>Programme Of Training For Planning Committee</p> <p>The Assistant Director for Strategic Planning and Regulatory Services noted that there needs to be formalisation of training provided with named dates and topics. The first one could be a review of the development appeals.</p> <p>A Cllr suggested that they could look at public footpaths that don't lead anywhere or that lead on to peoples properties.</p> <p>The Assistant Director for Strategic Planning and Regulatory Services noted that they will create a list of ideas.</p> <p>The Solicitor to the Council noted that it is a matter for LCC if a footpath is blocked.</p>

PL93	Urgent Business None
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The meeting closed at: 7.20 pm

Chair