

Minutes

Meeting name	Planning Committee
Date	Thursday, 20 June 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 (JD)

Minute No.	Minute
PL94	Apologies for Absence None
PL95	Minutes Minutes of the meeting held on 30 th May 2019 Approval of the minutes was proposed by Cllr Faulkner and seconded by Cllr Posnett. It was unanimously agreed that the Chair sign them as a true record.
PL96	Declarations of Interest Cllr Posnett declared an interest as a Leicestershire County Councillor. Cllr Steadman stated that she knew the Applicant for 16/00810/OUT - Land Rear of 1 to 3 Hickling Lane, Long Clawson. She was also a member of the Neighbourhood Plan team, and was a member of Long Clawson in Action. She would be also be speaking on the application as Ward Cllr. She would therefore not take part in the discussion and vote. 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.
PL97	Schedule of Applications
PL98	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; the application was differed at last months planning committee 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. Whilst no amendments have been received from the agent, further clarification to points has been made which include the following:

With regards to Density, the land subject to previous approval for 28 houses, currently still has 28 houses proposed, the only changed is the additional 4 smaller properties which have been added – 8 in an area that has permission for 4 on the south part of the site.

Plots 5, 6, 7 and 8 are 2.5 storeys in height and positioned to the North side of Longcliff Close and whereby there is a 27 metre separation, the dwellings have roof lights and the agent has suggested that these can be set above 1.7metres above Finished Floor Level so they are above eye level by way of a condition, to prevent overlooking.

The applicants have commented that the additional 2.5 metre dwellings through the site have been added to vary the streetscape. The eaves line of the 2.5 storey dwelling is set just above the first floor windows which in turn creates a room in the roof appearance.

The applicants have offered a reduction of the roof ridge to 9.2m above ground Finished Floor Level (by adjusting the roof pitch) on the 2.5 storey dwellings on plots 5,6,7 & 8 if members considered this coupled with the separation distance of 27 metres would make the scheme more acceptable.

In terms of play provision the site lies 420 metres to the play area next to the village hall and 300 metres to the recreation ground, there is however 450m2 available space on site for this should members wish to request this via a condition. In policy terms this would satisfy the requirements of the policy and make up about ½ the deficit of provision in the old Dalby ward.

In terms of highways, the car parking, design of driveways and garages are subject to condition all complaint with LCC Highways who raise no objection to the proposal. Concerns have been raised regarding parking arrangements, ‘tandem parking’, but this accord with Highways’ standards and we have no statistical evidence to show they lead to greater on street parking.

In terms of ecology the alterations to the layout and hedge have been necessary to provide a single planning application that combine the 3 previous outline approvals and a more rounded application that reads as one development.

Members raised concern at the last committee with regards to a ditch the submitted drainage scheme ensures that storm water will be pumped to a sewer outfall.

I would like to remind members that the site already has the benefit of outline permission and the majority of the site is allocated for development of 28 dwellings within the Local Plan referenced as OLD1 and an additional permission for 7.

Therefore both the principle of the development AND of the number of houses (32) is established. The combination of all outline permissions complete in one full application would add a more fluid combined development demonstrating how the scheme as a whole would work.

As such the application is again recommended for approval subject to conditions.

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

- Concerned about character, believed the scheme is more in tune with an urban development, more appropriate for a town. Not sympathetic as per Policy D1.
- Average density 22.9 houses per hectare which is much higher than the village as a whole.

- Development is too large for the village and is not in keeping.
- Acknowledged the Developer's reduction to the height of houses but stated that still doesn't address concerns about character and size.
- Concerned about car parking and highways and the effect on highway infrastructure. Tandem parking will encourage road parking. Inadequate parking for visitors which will lead to an overspill. Neighbourhood Plan Policy H6 refers to adequate off road parking.
- Work to hedgerows to be mitigated, and concerned about the footpath. ENV6 and ENV4 of Local Plan.
- Not in line with policy H3B of Neighbourhood Plan.
- Deficient in play area.

(c) Dr Sandra Taylor, an objector, was invited to speak and stated that:

- National housing needs not met identified in Local Plan. 80% should be 2-3 bedroom houses and bungalows, not 4-5 which is 36%.
- Need to ensure new builds are sustainable. This is not suitable for the future.
- Quoted C2 of Local Plan regarding accessible housing. 47% of proposal will be 2.5 storeys; this is not suitable for disabled people.
- Parking not up to standards.
- Doesn't meet landscaping, design, visual, appearance, layout, density of building, impact on the countryside or issue of overshadowing, Loss of outlook.
- Fails to commit to child play area as a largescale development.
- Plan is not accurate with regards to hedgerow. 7.8m and 7.5m gaps, more than half of the existing remaining hedge.
- Does not adhere to Neighbourhood or Local Plan.

The Chair queried the statement made about the percentage of 2-3 bedroom homes. She stated there will be 23 out of 36.

Dr Taylor explained she was referencing the amount of 4-5 bedroom homes, not 2-3.

The Assistant Director for Strategic Planning and Regulatory Services sought clarification regarding the reference to the gaps in the hedge and half being removed.

Dr Taylor indicated on the map and was excluding the part next to the current building and that running south – north on the east site boundary.

The Assistant Director for Strategic Planning and Regulatory Services sought clarification on the statement made about overshadowing.

Dr Taylor explained that she did not mean it in the sense of casting a shadow, but the village will be overshadowed due to the land rising up. Some houses will be 10m high. This will affect the visual view and outlook of those living on Longcliff Close.

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

- Road layout and footpath now subject to separate s38 process.
- Development has been professionally reviewed and deemed compliant with policies. Should be permitted subject to conditions.
- Believed there had been misleading comments made in terms of density.
- Main body is 28 houses; proposed 4 small additions in south east corner will not be cramped.
- Combined access roads.
- Available to social rent and first time buyers, identified need in the Local Plan.
- Room in the roof design, with eaves line kept low to respect local characteristics of the village. Dormer windows will enhance street scene.
- Roof lights prevent overlooking of adjacent gardens. Plots 5-8 located on the North side of Longcliff Close, cannot overshadow gardens separated by hedgerows, a vehicular drive and is 27m away which is well in excess of the minimum 21m
- Development is 412m from village play area and less than 300m from recreational ground. There has been no request from the Parish Council.
- Layout mix provides variety to the street scene.
- Buffer and footpath retained – ecological characteristics.
- 9 new starter & affordable homes.
- Local developer.

A Cllr questioned who would maintain the hedgerows.

Mr Cooper stated that it would be future residents as part of the management plan.

A Cllr asked who will pay for this.

Mr Cooper replied that it would be the developer and the purchasers of the properties.

A Cllr stated that this would be a tax on houses and smaller homes would be hit harder.

The Solicitor to the Council explained that this is normal practice to have this arrangement in the form of an annual service charge.

A Cllr queried whether the charges would be pro rata or one fee for all.

The Solicitor to the Council stated that it would be possible for it to be pro rata.

A Cllr asked if that could be conditioned.

The Solicitor to the Council replied yes it could be done.

The Assistant Director for Strategic Planning and Regulatory Services expressed his opinion that this development would be similar in character to Longcliff Close and was very similar to Croft Gardens.

A Cllr asked the Development Manager and The Assistant Director for Strategic Planning and Regulatory Services whether they had been in direct contact with the school and expressed concerns about an increase in cars and parking.

A Cllr explained the plans to increase the number of classrooms, all of which will be built upon the existing car park. They explained cars will have to go in the road and was worried about the increase in traffic as a result of more pupils attending the school.

The Assistant Director for Strategic Planning and Regulatory Services stated that they had not been in direct contact and that they would liaise with the governing body. The school has asked for money so it would be fair to deduce that they are happy to extend.

A Cllr expressed concern regarding the site levels. The East of the site lies at 85m above sea level and the West, 92m. 7m difference in height regardless of the storeys. Over 30% of the development is to be 2.5 storeys (9.2m) which will be visible from miles around. They stated that the Longcliff Hill view was listed in the Neighbourhood Plan as a preferred view and this is not acceptable.

The Chair asked if they wished to motion.

Cllr Steadman stated that with the design of the site and the height of the buildings and density, it did not meet Policy D1 of Local Plan or H6 of Neighbourhood Plan and proposed to refuse.

A Cllr stated that they cannot go along with density and would prefer to speak before making a decision.

The Assistant Director for Strategic Planning and Regulatory Services explained that there is not dispute about the density figure. He reminded members that 32 houses are already approved so the density of 20.38 is fixed. An increase to 22.9 is therefore the key issue.

A Cllr stated that irrespective of density, the additional larger dwellings are not needed.

A Cllr reiterated that they cannot go with the density.

The Chair asked Cllr Steadman if she wished to alter her proposal.

Cllr Steadman replied that the development is not sympathetic to the area and would be overbearing on the landscape.

The Chair asked if Cllr Steadman wished to remove density.

Cllr Steadman stated that it was rather high for a rural area.

A Cllr explained that they must be careful in saying that they would refuse on a

view, as this is not a planning reason.

The Solicitor to the Council added that insufficient attention was being paid to the allocation of the site for development. Authorities deemed to be happy with the impacts e.g. highways. The additional land is subject to Outline Planning Permission and it's already been agreed that it's appropriate for development. The number has already been accepted and is little different to the new proposal. With regards to the height, could refusal be placed on this alone? He expressed his doubt.

The Assistant Director for Strategic Planning and Regulatory Services stated that the height of a house is typically around 8m. If required, it could be limited to 9.2m.

A Cllr questioned that if there was no seconder, could they continue.

Cllr Illingworth stated that the speaker after a proposal needed to be seconding the motion. That had failed. He now proposed to permit in line with Officer's recommendations and concessions offered by the applicant regarding the reduced height and shared space.

Cllr Faulkner seconded the proposal. He stated that there was no legal reason to refuse.

A Cllr expressed that they were unhappy with the layout; it would be suburbia in a village and this is not desirable. The development would be bound to tier as it is on a gradient. They were concerned about the management charge on smaller houses and would like to regulate.

The Assistant Director for Strategic Planning and Regulatory Services stated that this was outside planning consideration and people would only buy into it if they wanted to.

A Cllr expressed concerns about the amount of cars and parking.

A Cllr stated they were not disputing planning permission, but was unhappy with parking. They believed there would not be enough off road parking, and car ownership is increasing.

Cllr Illingworth sought clarification on the allocation of the site within the Local Plan. Is the Neighbourhood Plan in compliance with the Local Plan?

The Assistant Director for Strategic Planning and Regulatory displayed a map showing how the whole site was captured within the Limits to Development in the Neighbourhood Plan

A Cllr stated that they were not against the principle; it's what is being put on it.

A Cllr asked whether the 3 adjustments suggested by LCC Highways would be

made.

The Chair stated that the points raised previously had been investigated. LCC Highways had imposed conditions. There is a mixture of houses and saw no reason to refuse.

A vote was taken. 5 members voted to permit. 5 members voted to refuse. The Chair had the casting vote and decided to permit, as per her original vote.

Cllr Cumbers, Cllr Wood, and Cllr Steadman asked for their refusal to be recorded. There was 1 abstention. Cllr Higgins asked for his abstention to be recorded.

Determination: Permit, subject to

(i) Completion a S.106 agreement making for:

- **Affordable housing provision;**
- **Open space;**
- **NHS contribution;**
- **Education contribution;**
- **Libraries contribution;**
- **Civic amenities contribution;**
- **A contribution to the village hall.**

(as set out below).

(ii) Conditions as set out in the report

(iii) An additional condition limiting the height of the 2.5 storey buildings to 9.2m height to ridge level, as suggested by the applicant

18:55pm Meeting adjourned

18:55pm Cllr Higgins left the room

18:57pm Cllr Higgins returned to the meeting

18:57pm Meeting reconvened.

PL99

16/00810/OUT

Applicant: Hazleton Homes

Location: Land Rear of 1 To 3 Hickling Lane, Long Clawson

Proposal: Outline application for the erection of up to 31 dwellings with associated access, open space and parking [Resubmission of 15/00833/OUT]

(a) The Development Manager stated that:

The application before you is an outline planning application for up to 31 dwellings with only access for consideration at this time. The application was considered at the meeting of 4th December 2017 and was deferred to request reconsideration of the location of the access with a suggestion for its relocation onto Broughton Lane rather than Hickling Lane.

The agents have taken this suggestion on board and are now proposing a revised access point from Broughton Lane, the details of its assessment are in the committee report, the County Highway Authority have reviewed this detail and raise no objection to the proposal although they have requested some further information which can be secured by way of a condition.

Revised Section 106 comments have not been received for the proposal so should members agree with the approval of the application, Section 106 negotiations should be delegated to officers to discuss and review with the agent.

An important note for members is the change of policy position since the deferral in 2017. At the time of the deferral the application was considered against the 1999 Melton Local Plan which was out of date with the Emerging Local Plan and the Neighbourhood Plan still in preparation at the time.

The development is compliant with both the Local Plan and Neighbourhood Plan and allocated for housing in both. There are no material considerations that justify a departure from the Development Plan and the application is therefore recommended for approval.

(b) Marianne Lumb, was invited to speak on behalf of the Applicant and stated that:

- Site is owned by her family and land is ideal.
- There is a need in the village for appropriate housing.
- Good location, with easy access to Melton Mowbray, Leicester and Nottingham without having to drive through the centre of the village.
- Close to amenities with good pedestrian access.
- Small development with a good mix of housing.
- Ample parking and space for amenities has been reserved.
- Hedges to be reduced for visibility splays. There is to be a new footpath, increasing safety for pedestrians.
- Long Clawson Neighbourhood Plan and the Local Plan support development.

A Cllr expressed concerns about the corner of a hedge affecting the splay. They asked Ms Lumb whether this had now been resolved.

Ms Lumb stated that Highways are happy.

A Cllr stated they believed it had an impact on visibility.

Ms Lumb stated that it was compliant.

A Cllr questioned whether the maintenance of the hedgerow is to be included.

Ms Lumb replied she believed so.

A Cllr queried whether the family owned to field next to the site to rectify the hedgerow.

Ms Lumb stated that she believed it was an allotment.

(c) Cllr Melanie Steadman, the Ward Cllr, was invited to speak and stated that:

- Site has been selected as a preferred site in Neighbourhood and Local Plan.
- Concerns have been listened to and the applicant has adapted scheme to be more sympathetic.
- No objections from highways on new access.

A Cllr stated that 2 starter homes seemed a small amount and asked for Cllr Steadman's view.

Cllr Steadman stated that Long Clawson had lots of shared ownership homes and was meeting an identified need with bungalows.

19:12pm Cllr Steadman left the meeting.

The Development Manager explained the visibility splays and indicated on the map. She pointed out that there are 4 conditions in relation to the maintenance of the hedge in appendix 3. Condition 10 specifically states that hedges will be permanently maintained. This ensures they will not become overgrown once development takes place should this be approved.

A Cllr asked for clarification with regards to Secondary School education.

The Development Manager stated that there had been no s106 comments yet.

A Cllr questioned how it would work.

The Assistant Director for Strategic Planning and Regulatory Services explained that there would be a delegation of the issue and they would only have authority to proceed if the applicant agrees.

A Cllr stated that they weren't happy as Long Clawson is in the catchment area for the Secondary School.

Cllr Posnett explained that they had gone to great lengths with the conditions and they thought it was a good development. She proposed to permit.

Cllr Higgins seconded the proposal. He stated that he thought it was great how the developer had worked with Parish Council. He thought there should be more starter homes as there is now a new Local Plan since the initial application.
A Cllr stated that they thought it was a good development; they just had concerns over the hedge regarding safety.

The Chair spoke with regards to the hedge and boundaries, and stated she'd rather them be in line with LCC ecology comments and to be conditioned.

A Cllr stated that they cannot support as they still had concerns over highways. They were unconvinced, so wished to abstain.

A vote was taken.

7 members voted to permit. There were 3 abstentions. Cllr Illingworth asked for his abstention to be recorded.

Determination: PERMIT, subject to:

(i) The completion of an agreement under s 106 for the quantities set out in the above report to secure:

- a) Contribution for the improvement to civic amenity sites.**
- b) Contribution to travel packs**
- c) Sustainable transportation**
- d) The provision of affordable housing, including the quantity, tenure, house type/size and occupation criteria to ensure they are provided to meet identified local needs,**
- e) A contribution to primary education of a quantity commensurate to the cost of the extension of the school on a proportionate basis based on housing quantities, between the sites which obtain permission**

(ii) Conditions as set out in Appendix C

19:22pm Meeting Closed

PL100	Urgent Business None
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The meeting closed at: 7.22 pm

Chair

