

Minutes

Meeting name	Planning Committee
Date	Thursday, 31 October 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. Chandler P. Cumbers
J. Douglas P. Faulkner
L. Higgins E. Holmes
J. Illingworth M. Steadman
P. Wood R. Smedley (as substitute)

Officers Assistant Director for Strategic Planning and Regulatory Services
Solicitor To The Council (RP)
Development Manager (LP)
Planning Officer (RN)
Democratic Services Manager (NT)

Minute No.	Minute
PL142	<p>Apologies for Absence Apologies were received from Councillor P Posnett. Councillor Smedley attended as a substitute.</p>
PL143	<p>Minutes Minutes of the meeting held on 26 September 2019 were confirmed and signed by the Chairman.</p>
PL144	<p>Declarations of Interest There were no declarations of interest in respect of items to be considered on the agenda.</p> <p>Councillor Chandler confirmed in relation to application 19/00588/REM that the land was no longer owned by a family relative and therefore no longer held any pecuniary interest with regard to this item.</p> <p style="text-align: center;">--o0o--</p> <p>Councillor Glancy confirmed that she would speak as Ward Member on item 19/00208/REM and therefore in accordance with the Code of Conduct and Procedure Rules in the Constitution she would leave the Chair for this item, speak in relation to the item and then remain in the public gallery until after the voting on this item had taken place.</p> <p style="text-align: center;">--o0o--</p> <p>Nominations were requested for a Member to preside over the meeting during the debate and voting on the next item of business.</p> <p>Councillor Higgins was nominated by Councillor Faulkner. This was seconded by Councillor Steadman. Councillor Illingworth was nominated by Councillor Holmes.</p> <p>Upon voting on the nominations for the Chair, members voted in favour of Councillor Higgins presiding over the meeting during the next item of business.</p> <p>Councillor Higgins took the Chair and Councillor Glancy moved to the public gallery.</p> <p>Councillor Higgins confirmed that he held no interest which prevented him from presiding over the next item of business.</p> <p style="text-align: center;">--o0o--</p>
PL145	<p>Schedule of Applications</p>
PL146	<p>19/00208/REM Applicant: Taylor Wimpey</p>

Location: Land off Field OS 3968, Melton Spinney Road, Thorpe Arnold

Proposal: Approval of reserved matters related to appearance, landscaping, layout and scale attached to outline approval 14/00808/OUT for the erection of 200 dwellings and provision swales/drainage infrastructure/public open space and associated works

The Planning Officer (RN) addressed the Committee and provided a brief summary of the application. Mr Nallamilli also confirmed the following:

- Developers had provided a Sustainability Assessment and a Building for Life Assessment to comply with climate change and energy efficiency measures;
- Any reference to Japanese Knot Weed in the report was in fact reference to Mare's Tail;
- An amendment to Condition No. 5, first point "following first occupation of the development" to be replaced with "following commencement of the development";
- Three additional conditions were proposed for addition as detailed below;
- Additional information on the housing delivery programme had been provided; and
- There had been discussions with the developer in relation to street naming and the developer had suggested that if it was considered appropriate the main avenue could be named after Bill Forbes, who had been a leading volunteer for the Friends of Melton Country Park.

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

1. Jane Wilson – Chair of Melton Country Park

Following questions from Members, Mrs Wilson confirmed:

- The three proposed access points would be for pedestrians and not vehicles
- The proposed access from the Distributor Road was closer to the Newt Pond than the ecology report had indicated.

2. Caroline Chave (Chave Planning) – Agent on behalf of the applicant

Following questions from Members, Ms Chave confirmed:

- The hydrobrake would allow for rainfall collected in the attenuation pond to be discharged at a low rate into the Thorpe Brook;
- Although the exact detail was not to hand, Taylor Wimpey did employ local workers from the East Midlands region;
- The developer would work in consultation with the Friends of the Country Park on the landscaping design.

3. Councillors Glancy and Lumley – Ward Councillors

During discussion the following points were noted:

- i. The building schedule went up to 2034, Members felt this left time for further consideration of viability with regard to the use of solar tiles. The Planning Officer clarified that the developer had committed to looking into the provision of solar panels on future developments, but that this would not be possible for this site. There were no policies within the Local Plan which covered the installation of solar panels and therefore this could not be added as a condition. As lead member for Climate Change, Councillor Illingworth requested that he be involved in any ongoing dialogue regarding this matter;
- ii. Street names would be considered in consultation with Ward Councillors;
- iii. The reference to informal surveillance in relation to the play area was clarified, as the area was overlooked by surrounding houses and as such was not isolated; and
- iv. Members had received a copy of the design statement and images library provided by the developer.

Councillor Illingworth proposed the recommendations in the report subject to the addition of the supplementary conditions detailed below. This was seconded by Councillor Holmes.

RESOLVED

That application 19/00208/REM be **APPROVED** in accordance with the recommendations set out in the report, subject to the :

- (i) Safeguarding Conditions recommended in Appendix B;
- (ii) The amendment of Condition 5 as detailed above; and
- (iii) The addition of three conditions as follows:
 - a) The construction of the dwellings hereby permitted shall not commence until the approved surface water drainage pond and its flow control system has been implemented and any debris has been cleared from the southern ditch and its outfall.
 - b) Development shall not be commenced until a Landscape Implementation Plan (LIP) for the landscaped areas of the site has been submitted to and approved by the local planning authority. The LIP shall prescribe that the southern and western buffers are laid out prior to the construction of any dwelling being commenced and protected during construction by temporary fencing.
 - c) No dwelling shall be occupied until a Landscape Management Plan (LMP) for the landscaped areas of the site, including management of boundary hedgerows and surface water drainage features, has been submitted to and approved by the local planning authority. The LMP shall provide for the management of landscaped areas of the site in perpetuity by a Residents Management Company'.

(Unanimous)

REASONS

- The application site is allocated for housing and outline planning permission for the development has been granted. The principle of the access and the number of units proposed were debated, considered and approved by Members at the outline stage.
- The proposal as revised would result in a form of development that would be sympathetic to the character of the locality by virtue of its appearance, landscaping, layout and scale and would not unduly compromise residential amenity or be prejudicial to highway safety. For these reasons, the proposal is considered to comply with Policy D1 of the Melton Local Plan which requires all new development to be sympathetic to the character of the area in which the site is located.

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Councillor Glancy returned to the Chair

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PL147

19/00588/REM

Applicant: Miller Homes

Location: Normanton Lane, Bottesford, OS Fields 8456, 7946 and 9744

Proposal: Reserved matters for 36 dwellings (amendment of part of the site containing 27 dwellings under existing permission)

The Planning Officer (RN) addressed the Committee and provided a brief summary of the application.

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

1. Clare Thornton (Miller Homes) – Agent on behalf of the applicant

Following questions from Members, Ms Thornton confirmed:

- The properties would comply fully with Building Regulations in relation energy efficiency, thermal construction and solar gain. The use of reed beds would support biodiversity. There would also be extensive planting with workshops planned to discuss this further with the Parish Council. The provision of travel packs were also a condition of the application and supported sustainable transport.
- Further information was requested regarding the location of the bus stop – officers would request this information from the Highway Authority.
- The finish and quality of materials had been agreed with the Planning Officer. The developer was accredited as a 5 star house builder and used high quality materials and techniques.

During discussion the following points were noted:

- i. It was considered that there was a shortage of smaller 3 bedroom houses and so the developer was doing the right thing by reacting to market conditions;
- ii. The Parish Council had been consulted throughout the application process and felt that they had been included in the process;
- iii. Clarification was requested regarding the provision of the 3 additional affordable rent units and why this provision had not been split between affordable rent and shared ownership housing. The Planning Officer had confirmed with the developer that the affordable housing mix as defined in the report was appropriate and in accordance with demand.

Councillor Chandler proposed the recommendations contained within the report. Councillor Illingworth seconded the recommendations.

RESOLVED

That application 19/00588/REM be **APPROVED** subject to:

- i. The increased provision of Travel Packs supplied by Leicestershire County Council at a cost of £52.85 per pack in line with the original S106;
- ii. The increased provision of 6 monthly bus passes supplied by Leicestershire County Council at a cost of £360 per pack in line with the original S106;
- iii. Conditions as set out in Appendix B of the report.

(Unanimous)

REASONS

- Both outline and reserved matters planning permission for the development have previously been granted. In the opinion of the Local Planning Authority the proposal as revised would provide homes that would contribute to overall needs.
- The proposal as revised would result in a form of development that would be acceptable in form and would not compromise residential amenity or be prejudicial to highway safety to a significant extent. For these reasons, the proposal is considered to comply with Policy D1 of the Melton Local Plan which requires all new development to be sympathetic to the character of the area in which the site is located.

PL148

18/01517/FUL

Applicant: Jelson Limited

Location: Land off Hoby Road, Asfordby

Proposal: Approval of reserved matters related to access, appearance, layout and scale attached to outline approval 16/00570/OUT for the erection of 70 dwellings and provision of swales/drainage infrastructure/public open space

The Planning Officer (RN) addressed the Committee and provided a brief summary of the application.

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

1. Rob Thorley (Jelson Ltd) – Applicant
 - Mr Thorley confirmed that the adjustment with regard to provision of affordable housing across this site and the Burton Road site was as a result of discussions with Planning Officers indicating that the need for affordable housing was greater in Melton Mowbray.
2. Councillor R De Burle – Ward Councillor (Objecting to the recommendations in the report in relation to the decision on the affordable housing mix)

During discussion the following points were noted:

- i. Councillor Higgins confirmed that in his opinion the report on the application for the Burton Road site in April 2019 had not been clear that the increased affordable housing provision was a transfer from this site. He felt that the reduction of affordable housing provision on this site should have involved consultation with the Ward Member;
- ii. The Assistant Director for Strategic Planning and Regulatory Services confirmed that it was acceptable to offset affordable housing from one site to another provided it met with established need;
- iii. The Planning Officer (RN) confirmed that the increase in affordable housing on the Burton Road site was requested in good faith, in order to meet demand, but that in future the Ward Member would be consulted before such a request was made;
- iv. Members agreed that the detail and design was much improved from the application that was considered in August;
- v. Members were keen that developers were encouraged to increase the discounted market housing from 20% to 30% in future in order to assist young people trying to get onto the property ladder.

Councillor Holmes proposed the recommendation in the report and Councillor Higgins seconded the recommendations on the basis that there was provision for consultation with the Ward Councillors and the Parish Council before a decision on the revised affordable housing mix was taken.

RESOLVED

That application 18/01517/FUL be **APPROVED**, with the revised planning drawings subject to:

- i. Addition of a condition relating to the provision of play area (as detailed in the report);
- ii. Delegated Authority being provided to the Assistant Director, in consultation with Chair and Vice Chair and following discussions with the Parish Council, and Ward members, to complete a variation of the S106 agreement making for a revised Affordable Housing mix.

(Unanimous)

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The Chairman adjourned the meeting for a short comfort break.

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The Chairman reconvened the meeting.

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PL149

19/00952/FUL

Applicant: Mr and Mrs D Kealy

Location: Oakley Cottage, 20 Main Street, Grimston

Proposal: New dwelling

The Development Manager addressed the Committee and provided a brief summary of the application.

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

1. Rebecca Kealy – Applicant

Following questions from Members, Mrs Kealy confirmed:

- That her 4 year old daughter was in receipt of high rate disability living allowance due to having hypermobility. The application was to provide a suitable home, with appropriate adaptations to provide a suitable environment to accommodate her daughters needs now and to allow her to live as independently as possible in the future.
- The particular needs in relation to the requirement for a specially adapted home was made clear in the application.

2. Councillor Browne – Ward Councillor and representing the views of the Parish Council (Objecting to the recommendation to refuse in the report)

During discussion the following points were noted:

- i. Policy SS2 stated that rural settlements will accommodate a proportion of the Boroughs housing need, this house would mean that the family's existing smaller property would become available, which satisfies a local need in accordance with Policy SS3;
- ii. The existing building is used as a light industrial unit, but it was suggested that it was unlikely to be used as such again, it was also an unsightly

- building, so on balance the impact on the area would be positive;
 - iii. The applicant had provided evidence that there was a local need in relation to particular circumstances of a local family;
 - iv. This was an unique case and the exceptional circumstances demonstrated by the applicant justified departing from the high bar set by Policy SS3;
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The Chairman proposed that the meeting continued beyond the three hours time limit as set out in the MBC Constitution. This was seconded by Councillor Cumbers.

On being put to the vote the motion to continue the meeting was CARRIED.

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- v. Members requested whether a first occupancy condition could be added in relation to the applicant. Officers confirmed this was possible.

Councillor Higgins proposed that the application be approved against officer recommendation, on the basis of the specific and ongoing need of the applicants child for a suitably modified house, subject to a condition on first occupancy and any additional conditions to be delegated to the Assistant Director for Strategic Planning and Regulatory Services. Councillor Cumbers seconded this recommendation.

RESOLVED

That application 19/00952/FUL be **APPROVED** contrary to the recommendations set out in the report, subject to:

- i. A condition on first occupancy
- ii. A delegation for the Director for Strategic Planning and Regulatory Services to agree any further conditions as appropriate.

(9 in favour of approval, 2 against)

REASONS

The decision to grant the application, contrary to officer recommendations and the Development Plan was made as Members were satisfied that there existed very exceptional circumstances in relation to the accommodation needs of a disabled child and the strong desire for her to remain resident in her current community, Grimston. Also, that it would make use of a brownfield site and tidy it up from its current derelict appearance added weight to the decision.

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Councillor Holmes left the meeting and did not return.

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PL150

19/00256/FUL

Applicant: Mrs J E Dolan

Location: Land north of 55 Main Street, Kirby Bellars

Proposal: Proposed erection of three, two bedroom single storey detached

dwelling and associated access and landscaping

The Development Manager (LP) addressed the Committee and provided a brief summary of the application.

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

1. Kirby Bellars Parish Council (Objecting to the recommendation to refuse)

Following questions it was confirmed:

- A Strategic Housing Land Availability Assessment had been carried out some years ago which had identified a need for small affordable housing. Further details on this report would be looked for.
2. Jo Dolan - Applicant
 3. Councillor R Browne – Ward Councillor (Opposing the recommendations in the report)

During discussion the following points were noted:

- i. If it could be evidenced that Kirby Bellars had a need through a formal needs study then the application may satisfy the requirement of Policy SS3;
- ii. The applicants voluntary offer of a s.106 agreement to provide one of the bungalows as a starter home, should be acknowledged;
- iii. Members liked the scheme but accepted that it did not meet the high bar of Policy SS2 and there were no exceptional reasons to go against that policy;
- iv. The Village were keen to attract new housing and become more sustainable but unfortunately to current Local Plan did not facilitate this desire.

Councillor Higgins proposed that the application be deferred to allow a housing need survey to be carried out in order to provide evidence in accordance with Policy SS3. The application should be reconsidered in light of this information and alongside the voluntary contribution for affordable housing. This was seconded by Councillor Faulkner.

RESOLVED

That application 19/00256/FUL be **DEFERRED** pending further information on housing need in Kirby Bellars.

(9 In favour, 1 against)

PL151

Urgent Business

There was no urgent business.

The meeting closed at: 9.48 pm

Chair