

Minutes

Meeting name	Planning Committee
Date	Thursday, 28 May 2020
Start time	6.00 pm
Venue	By remote video conference

Present:

Chair Councillor M. Glancy (Chair)

Councillors P. Posnett MBE (Vice-Chair) R. Bindloss
R. Browne P. Chandler
P. Faulkner L. Higgins
E. Holmes S. Lumley
M. Steadman P. Wood

Observers

Officers Assistant Director for Planning and Delivery
Director for Governance and Regulatory Services
Planning Development Manager
Locum Planning Solicitor
Democratic Services Officer (SE)

Minute No.	Minute						
	<p>Chair's introduction</p> <p>The Chair welcomed everyone to the Planning Committee meeting. She introduced Members and Officers as well as referred to the public speakers who would be speaking on individual applications.</p> <p>It was confirmed that all Members present could hear and see the proceedings and Members could also see the Chair and each other. The Chair explained that Members would use the functionality of the software to raise their hands to speak and each Member would be asked in turn for their vote at the appropriate time.</p> <p>The Chair explained that should the remote conferencing connection be lost there would be an adjournment. Also should the meeting not have ended by 8 pm there would be an adjournment for 5 minutes to allow those present to take part in the Clap for our Carers campaign to applaud and recognise NHS staff on the frontline against coronavirus.</p> <p>She advised that the meeting would be recorded and live-streamed on You Tube.</p>						
PL1	<p>Apologies for Absence</p> <p>There were no apologies for absence.</p>						
PL2	<p>Minutes</p> <p>The minutes of the meeting held on 30 April 2020 were confirmed and authorised to be signed by the Chair.</p>						
PL3	<p>Declarations of Interest</p> <p>Councillor Posnett declared a personal interest in any matters relating to the Leicestershire County Council due to her role as a County Councillor.</p> <p><u>Application 19/00909/OUT – St Mary’s Hospital</u></p> <p>Councillor Browne declared a personal interest and wished to put on record that he worked for a national housing association that had dealings on funding with Homes England. He reported that he had not had contact with any matters linked or related to this application.</p>						
PL4	<p>Schedule of Applications</p>						
PL5	<p>Application 19/00707/FUL</p> <table border="1" data-bbox="288 1845 1430 2018"> <tr> <td data-bbox="288 1845 496 1888">Reference:</td> <td data-bbox="496 1845 1430 1888">19/00707/FUL</td> </tr> <tr> <td data-bbox="288 1888 496 1973">Location:</td> <td data-bbox="496 1888 1430 1973">Land at Butt Close, Adjacent Hay Barn, Riverside Road, Melton Mowbray</td> </tr> <tr> <td data-bbox="288 1973 496 2018">Proposal:</td> <td data-bbox="496 1973 1430 2018">Construction of new dwelling</td> </tr> </table> <p>The Planning Development Manager addressed the Committee and provided an</p>	Reference:	19/00707/FUL	Location:	Land at Butt Close, Adjacent Hay Barn, Riverside Road, Melton Mowbray	Proposal:	Construction of new dwelling
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updated summary of the application. It was noted that the application had been deferred at the last meeting held on 30 April 2020 to allow further opportunity for Members to visit the site and to clarify the status of the bridleway as a means of access.

Ms Parker referred to paragraph 5.5.4 of the report which explained that Riverside Road was to be a bridleway which travelled along Riverside Road and connected St Leonards Close with Asfordby Road. This upgrade from a public footpath to a bridleway was at the request of Leicestershire County Council in the approval of the application at St Leonards Close. The works to upgrade from a footpath to a bridleway were being undertaken. Riverside Road had and always would be used by mechanised vehicles and this situation was not unusual and neither was the situation changing should this application be approved. The footpath was part of the application site.

The Solicitor advised that whether the footpath was a footpath or bridleway nor the legality of the access were planning considerations. He further advised vehicular access was already in place without interfering with the footpath.

There was a query as to whether there was a policy that allowed for development to take place without vehicular access and it was noted that policy D1 required adequate access.

Pursuant to Chapter 2, Part 9, Paragraphs 2.8-2.28 of the Council's Constitution in relation to public speaking at Planning Committee, the Chair allowed the following to give a 3 minute presentation:

- Charles Ellis, Objector
- Richard Cooper, Agent, HSSP Architects

Mr Cooper confirmed that there would be a reduction in traffic on Riverside Road as the road previously serviced 2 dwellings and, if approved, the road would only provide access for one property, being the one under consideration.

It was noted that the Committee could add a condition for the access to be via Riverside Road only.

With regard to works on Mr Ellis's neighbouring property, the application only covered the property in question therefore there could be no condition applied to regulate works carried out on a neighbouring property.

During discussion the following points were noted:

- There was concern about the access until the bridleway was completed
- As the application was in line with the Local Plan, met the relevant policies with no detrimental impact and had sustainable qualifications it was felt acceptable so long as officers monitored the archaeological matters which were to be

addressed and the footpath issue was resolved

- The Solicitor reiterated that the footpath was not a material consideration
- Due to the narrow access and as there was no Neighbourhood Plan in place, a Member could not support the application and another Member agreed with this view adding they had concerns with the boundary hedge and the mobile home
- It was advised that there was a landscaping condition which could be amended to be more specific about the hedge and the mobile home had been removed
- The property fitted with the Local Plan, had no detrimental impact on the character of the area, complied with relevant policies and had an innovative design which wouldn't overshadow other properties and would bring a pleasant aspect to the area
- It was noted that that there could not be a condition to prevent a mobile home on the site as the condition regulations did not cover such future development, also within permitted development rights during the construction of the property, a mobile home could be positioned on the site
- There was a concern as to the potential for surface water on the bridleway in the winter months
- A Member felt the application could not be approved until all the residents' concerns had been addressed
- A point of clarification was made that when making their judgment Members referred to professional advice and relevant authorities who had assessed the application. Residents' concerns were reviewed in relation to planning considerations.

Councillor Posnett proposed to approve the application. Councillor Steadman seconded to include access via Riverside Road only.

RESOLVED

That application 19/00707/FUL be **APPROVED** subject to the conditions set out at Appendix B of the report and an additional condition limiting access by Riverside Road only.

(8 in favour, 3 against)

(Councillors Faulkner and Holmes requested that their vote against the preceding decision be recorded.)

REASONS

The proposal would represent a sustainable form of small scale residential development that would be considered acceptable under the provisions of Policies SS1 and SS2 of the Melton Local Plan.

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, design, layout and scale and would not compromise residential amenity or be prejudicial to highway safety. The development would also raise no significant, adverse impact on ecology or archaeology grounds that would warrant refusal. For these reasons, the proposal is considered to comply with the relevant policies of the Melton Local Plan and the National Planning Policy Framework, and no harm is considered to arise following the giving of special attention to avoiding harm to heritage assets required by s66 of the Planning (Listed Buildings and Conservation Areas) Act

1990.

PL6

Application 19/00909/OUT

Reference:	19/00909/OUT
Location:	St Marys Hospital, Thorpe Road, Melton Mowbray
Proposal:	Change of use of the central block and wings of the former workhouse building to comprise 4 houses and 4 residential apartments with associated parking and amenity space. Outline application for demolition of existing buildings and structures on site and redevelopment of the site for up to 38 new dwellings together with associated access and site infrastructure. All matters are reserved except access

The Assistant Director for Planning and Delivery addressed the Committee and reported that the following had been received since despatch of the agenda:

- A further petition
- Approximately 8 further objections making several points
- Leicestershire County Council submission
- Many suggestions and ideas on how the vagrant cells may be treated
- Further comments from the Highway Authority including a list of conditions and s106 requests
- Responses to Member queries previously raised

On the Leicestershire County Council (LCC) position, he advised that it related to developer contributions on the site (paragraph 4.5.5 of the report) which were not close to what had been requested and there was a huge shortfall. The LCC submission was received 16:16 on the same day as the meeting and Mr Worley read the representation that had been received by LCC as follows:

'I refer to our conversation yesterday regarding planning application ref. 19/00909/OUT – Melton Hospital, Thorpe Road, Melton Mowbray which is being considered at your Planning Committee tonight.

As you are aware, the County Council has written to you to set out its requirement for developer contributions to mitigate against the impacts of this development. A key component of this is the requirement for a £12,422.26 contribution, per dwelling, towards education facilities (total £571,423 based on 46 dwellings). The County Council has also requested contributions towards libraries and civic amenities. These contributions are essential to ensure that the infrastructure required to support the development can be funded. Without these contributions, there is no funding available to pay for these essential facilities. This means that the development is not sustainable, contrary to national and local policy. The fact that the developer has only offered £67,000 is therefore very disappointing.

In the event that Melton BC's Planning Committee resolves to grant planning permission without the required contributions, please be advised that the County Council reserves the right to consider taking legal action to prevent the development from proceeding.

I would strongly recommend that this application be refused planning permission due to a lack of section 106 planning contributions for the County Council meaning that the development is not sustainable.

Please could you bring this email to the attention of members of your Planning Committee and the applicant.'

Mr Worley referred to the financial shortfall in the report and that this had grown due to the Highway Authority requesting a further £40k since the report was drafted, and the shortfall was now at over £600k.

He further mentioned the late discussions that had come forward on the vagrant cells and the many ideas around how these should be saved, restored, commemorated and there had not been time before the meeting to consider these options and their feasibility. He felt more work on the viability of the vagrant cells was needed to bring forward realistic options especially as this area had emerged as a key factor in the public's view of this application. Therefore, with reluctance, he recommended that the application be deferred to enable consideration of the County Council's position and review the comments on the vagrant cells to be able to bring forward feasible options for the Committee's consideration.

Councillor Glancy proposed that in light of new significant information being received on the same day from the Leicestershire County Council as well as emerging issues around the vagrant cells, the application be deferred. Councillor Steadman seconded.

RESOLVED

That application 19/00909/OUT be **DEFERRED** to allow the latest information received from Leicestershire County Council and emerging issues around the vagrant cells to be reviewed by officers.

(Unanimous)

Following the vote, Members made comments which officers would consider before bringing the application back to the Committee.

The Chair apologised to the speakers for the deferral and thanked them for attending and that she looked forward to hearing from them when the application returned to the Committee.

PL7

Urgent Business

There was no urgent business.

The meeting closed at: 7.26 pm

Chair