

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE MEETING OF THE PLANNING COMMITTEE

Held at The Council Chamber,
The Symington Building, Adam & Eve Street,
Market Harborough, LE16 7AG

On 14th May 2024
commencing at 6.30pm

Present:

Councillors: Elliott, Finan, Gair, Galton, James (Chair), Mahal, Modha, Whelband,
Worrell.

Officers present: D. Atkinson – Director of Planning, A. Eastwood – Head of Development Management, R. Meddows-Smith – Planning Officer, Sam Hammonds – Senior Planning Officer, M. Patterson – Strategic Growth Manager, J. Felton – Locum Solicitor, E. Newman – Democratic Services Officer.

1. Apologies for Absence and Notification of Substitutions

Apologies were received from Cllr Asher, who was substituted by Councillor Finan, and Councillor Burrell, who was substituted by Cllr Galton.

2. Declarations of Members Interests

Councillor James declared an interest in 24/00388/FUL and due his professional relationship with the applicant, he would remove himself from the debate and not vote on this application.

3. Minutes

It was noted that draft minutes noted the wrong date of the previous meeting. This would be updated prior to publication.

The minutes were proposed by Councillor Gair and it was **RESOLVED** that the minutes of the Planning Committee meeting held on the 26th March 2024 be approved and signed by the Chairman as a true record.

4. Questions and Petitions Received by the public.

There were no questions and petitions by the public received.

5. Referrals up to Council by the Planning Committee

There were no referrals.

Prior to reviewing the applications, it was proposed by Councillor Whelband, and seconded by Councillor Modha, that each application be subject to a recorded vote by each member of the committee. It was confirmed by the Locum Solicitor, that this could be applied to every application being discussed at this meeting. This was **RESOLVED**, and thus going forward, each vote at this committee meeting would be recorded.

6. Applications for Determination

The Chair of the committee stated that in regard to the application concerning the new Gartree Prison, the item would be debated and considered as usual. He also stated that Officers have given consideration to four discharge of condition applications relating to the prison and have waived their delegated powers in order to ensure they can be brought to the next Planning Committee in June. Officers wish to ensure that as many matters as practicable are considered by planning committee members in an open public forum due to the significant nature of this application.

The Strategic Growth Manager introduced application 24/00200/REM, Land Adj HM Prison, Welland Avenue, Gartree, Lubenham, Reserved Matters for the construction of a new Category B prison of up to 82,555sqm within a secure perimeter fence, together with access, parking, landscaping and associated engineering works (appearance and layout to be considered, pursuant to outline planning permission ref: 21/01600/OUT (access, scale and landscaping)).

Support was heard from the applicant's agent, Katherine Morgan, and Phil Cronshaw.

Objections were heard from Diana Cook on behalf of Lubenham Parish Council, David Hickie on behalf of Gartree Action group, and Ward Member Councillor Jo Asher.

The Committee was given the opportunity to question the speakers, and the officers.

It was proposed by Councillor Worrell that the application be **REFUSED**. There was no seconder for this.

The discussion continued.

It was proposed by Councillor Gair that the application be **DEFERRED** to the next meeting of the Planning Committee for reasons as to consider:

- Layout and positioning
- Colour of fence
- Traffic & access.

This was seconded by Councillor Galton.

A recorded vote was taken and supported by the requisite number of Councillors and the result was:

For: Elliott, Finan, Gair, Galton, James, Modha, Whelband, Worrell (8)
Against: Mahal (1)
Abstentions: 0

Following the Committee's discussion and recorded vote, it was **RESOLVED** that;

Planning Permission was **DEFERRED**, for reasons as to consider the layout of the built form, and colour of the built form.

The Senior Planning Officer introduced the next application 23/01104/OUT, Land at Gaulby Road, Billesdon - Outline application for up to 48 dwellings, including 30 custom house build plots and 18 affordable First Homes, with associated vehicular access, school drop-off area with 40 spaces, landscaping, and drainage infrastructure (access only to be considered).

Support was heard from the applicant's agent Chris Green, and John Golby

Objections were heard from Simon Ford on behalf of Billesdon Parish Council, and Yvette Veitch.

The Committee was given the opportunity to question the speakers, and the officers.

It was proposed by Councillor Modha that the application be **REFUSED** on the basis that it goes against GD2 (d) of the Harborough Local Plan, and this was seconded by Councillor Elliott.

A recorded vote was taken and supported by the requisite number of Councillors and the result was:

For: Elliott, Finan, Gair, Galton, James, Mahal, Modha, Whelband, Worrell (9)
Against: 0
Abstentions: 0

Following the Committee's discussion and recorded vote, it was **RESOLVED** that;

Planning Permission was **REFUSED** as the proposal by virtue of its size, scale and layout does not respect the existing form and character of this edge of Billesdon and it will not well integrate into the existing built form. This will be especially harmful in views from the public right of way crossing through the south of the site. It is therefore contrary to Harborough Local Plan policies GD2 (e) & GD8 (d).

It was voted that standing orders be suspended, and the meeting continue after 21:30 to allow the committee to review the full agenda of the meeting.

The Planning Officer introduced the next report, 23/01536/FUL, Land at Former Quarry, Dunton Road, Dunton Bassett - Erection of 31 holiday lodges, 13 accommodation pods, a management building, equestrian facilities, alterations to existing vehicular access, parking, internal access roads, landscaping and the creation of fenland habitats (revised scheme of 20/01203/FUL).

Objection was heard from Ward Member Councillor Neil Bannister.

The Committee was given the opportunity to question the speakers, and the officers.

It was proposed by Councillor Gair and seconded by Councillor Galton that the application be **REFUSED** for the reasons set out in the report.

A recorded vote was taken and supported by the requisite number of Councillors and the result was:

For: Elliott, Finan, Gair, Galton, James, Mahal, Modha, Whelband, Worrell
(9)
Against: 0
Abstentions: 0

Following the Committee's discussion and recorded vote, it was **RESOLVED** that; Planning Permission was **REFUSED** for the following reasons and as set out in the report:

The proposal, if permitted, will cause harm to a Local Wildlife Site including at least two Priority Habitats and harm to an Irreplaceable Habitat and there are no public benefits which outweigh the harm. Satisfactory mitigation proposals have not been provided for the impact on the Local Wildlife Site and the protected species which use it for habitat. Improvements and enhancements to biodiversity may not be achievable, deliverable or viable. For these reasons, the proposal is considered to have an unacceptable impact on biodiversity, protected species, Priority and Irreplaceable Habitats and a Local Wildlife site, contrary to Local Plan policy GI5, Dunton Basset Neighbourhood Plan policies ENV3 and ENV5 and Leire Neighbourhood Plan policies ENV3, ENV4 and ENV11, and in accordance with paragraphs 186 a) and c) of the NPPF, the proposal must be refused.

The scale of the proposal is disproportionate and harmful to the rural and quiet character of the site and will have an urbanising appearance which fails to respect the character and appearance of the countryside and the surrounding environment and, if permitted, would have a detrimental effect on the distinctive rural character of this part of the parish of Dunton Bassett, contrary to Local Plan policy RT4.2.c, GD8 and Dunton Bassett Neighbourhood Plan policies H2 and E4.

The Planning Officer introduced the next report 24/00229/VAC (it was confirmed that this should be taken as 24/00229/FUL), Sutton Circuits, Sutton Lane, Sutton in the Elms, Broughton Astley - Change of use from holiday accommodation to a retirement village.

Support was heard from the applicant's agent, Joe Nugent.

Objection was heard from Ward Member, Councillor Clive Grafton-Reed.

The Committee was given the opportunity to question the speakers, and the officers.

It was proposed by Councillor Whelband that this application be **REFUSED**. This was seconded by Councillor Worrell.

A recorded vote was taken and supported by the requisite number of Councillors and the result was:

For:	Elliott, Finan, Gair, Galton, James, Mahal, Modha, Whelband, Worrell
	(9)
Against:	0
Abstentions:	0

Following the Committee's discussion and recorded vote, it was **RESOLVED** that;

Planning Permission was **REFUSED** for the following reasons and as set out in the report:

The proposal would create permanently occupied dwellings in a countryside location which does not have convenient access to key services and facilities and which fails to meet any of the specific criteria under which new dwellings in the countryside are allowed. The proposal is not within or adjacent to the existing or committed built form of a sustainable settlement and is not small-scale windfall development as defined by the Broughton Astley Neighbourhood Plan. For these reasons, the proposal conflicts with policies GD2, GD4 and H4 and of the Harborough District Local Plan, and policy H3 of the Broughton Astley Neighbourhood Plan.

The proposal will potentially result in the loss of tourist accommodation and employment for the District. It therefore does not achieve the economic objective of sustainable development as required by policy GD1 of the Harborough Local Plan, policy SD1 of the Broughton Astley Neighbourhood Plan and paragraph 8 of the National Planning Policy Framework.

By virtue of its siting and scale the proposal fails to respect and enhance Sutton in the Elms and fails to integrate into the existing built form, causing harm to the character and appearance of the area. By virtue of the permanent occupation proposed together with its level of activity and suburban scale and appearance, the proposal will appear incongruous in its rural setting, causing harm to the character and appearance of the countryside, contrary to Local Plan policy GD8.

The proposal fails to demonstrate that it will not have an adverse impact on protected or priority species and habitats, and fails to demonstrate biodiversity improvements. BNG is required by statute and no baseline has been submitted from which biodiversity net gain can be calculated. The proposal fails Local Plan policy GI5 and paragraph 186 of the NPPF.

The proposal does not include an executed planning obligation which would secure the necessary financial obligations to mitigate the impact of the proposal. The proposal is therefore unsustainable development which conflicts with Local Plan policies GD1 and IN2 and Broughton Astley Neighbourhood Plan policies CI1 and SD1.

As Councillor James (Chair) had declared an interest in application 24/00388/FUL, he proposed that Councillor Modha assume the chair for the duration of the debate on this application. This was seconded by Councillor Whelband and Councillor Modha assumed the Chair. Councillor James left the meeting.

The Head of Development Management introduced the report 24/00388/FUL, 32A Clarke Street Market Harborough - Demolition of existing outbuilding and erection of a new dwelling (to be built as custom/self-build)(revised description).

Support was heard from the applicant's agent Matthew Cooper.

Objections were heard from John and Linda Edwards (whose objection was read out by the Director of Planning as a neutral figure), and Pauline Andrews. A statement from Ward Member Councillor Barbara Johnson was read on her behalf (by the Director of Planning as a neutral figure), as she could not attend the meeting.

The Committee was given the opportunity to question the speakers, and the officers.

It was proposed by Councillor Whelband that the application be **REFUSED**. This was seconded by Councillor Gair.

A recorded vote was taken and supported by the requisite number of Councillors and the result was:

For: Elliott, Finan, Gair, Galton, Mahal, Modha, Whelband, Worrell (8)
Against: 0
Abstentions: 0

Following the Committee's discussion and recorded vote, it was **RESOLVED** that; Planning Permission was **REFUSED** for the following reasons:

The proposal would cause unacceptable harm to the amenity of neighbouring properties, 32 and 34 Clarke Street due to an overbearing impact due to proximity and intensification of use, and including loss of light/loss of privacy. The proposal would be an unneighbourly form of development, conflicting with Policy GD8 of the Harborough Local Plan, Harborough District Council Supplementary Design Guidance and Section 12 of the NPPF 2021.

Councillor James re-entered the meeting at 21:58 and resumed the Chair.

The Head of Development Management introduced the final report 24/00245/VAC, Land off Arnesby Road, Fleckney - Erection of 150 dwellings and associated works (Reserved Matters of 18/00579/OUT, including details of appearance, landscaping, layout and scale) (Variation of Conditions 1 (permitted plans), 2 (electricity substation), 3 (parking and turning facilities), 7 (CEMP), 8 (Landscaping), 10 (footpath material) and 11 (Birdcage Cottage) of 21/01222/REM to amend/redesign the layout and housetypes and accordingly amend the Conditions/wording). Variation of Conditions 1 (Plans) and 2 (Parking) of 22/01620/VAC.

Support was heard from Applicant Richard Henderson.

The Committee was given the opportunity to question the speakers, and the officers.

It was proposed by Councillor Galton that the application be **APPROVED**. This was seconded by Councillor Modha.

A recorded vote was taken and supported by the requisite number of Councillors and the result was:

For: Elliott, Finan, Gair, Galton, James, Mahal, Modha, Whelband, Worrell
(9)
Against: 0
Abstentions: 0

7. Any Urgent Business

There was no urgent business.

Meeting closed at 22:09.

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