



MEETING OF THE  
PLANNING COMMITTEE

Civic Suite, Parkside

08 September 2016

PRESENT:

J Illingworth (Chair), J Simpson (Vice Chair), P Baguley,  
G Botterill, P Chandler, P Cumbers, J Douglas,  
M Glancy, E Holmes, M Sheldon, J Wyatt

Solicitor to the Council (SP), Head of Regulatory Services,  
Regulatory Services Manager (PR),  
Planning Officer (LP), Administrative Assistant (AS)

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PL27. APOLOGIES FOR ABSENCE

None

PL28. DECLARATIONS OF INTEREST

The Chair advised the Committee that Cllr Orson had declined his opportunity to speak as Ward Councillor, regarding application 15/01019/OUT, Hecadeck Lane, Nether Broughton, due to his disclosable pecuniary interest in the matter.

PL29. MINUTES

Minutes of the meeting 18 August 2016

Cllr Baguley requested that there be an amendment to page 94 of the minutes, to note that Cllr Baguley and Cllr Cumbers had requested for their vote against the substantive motion to be recorded regarding the appeal proceedings at Spinney Campus Brooksby Melton College, Melton Road, Brooksby.

Approval of the Minutes was proposed by Cllr Sheldon and seconded by Cllr Holmes.

The Committee voted in agreement. It was unanimously agreed that the Chair sign them as a true record.

Cllr Simpson noted that she didn't vote as she was not in attendance at the previous meeting.

### PL30. SCHEDULE OF APPLICATIONS

- (1) **Reference:** 15/01019/OUT  
**Applicant:** Whipling Farm Partnership  
**Location:** Field OS 3500, Hecadeck Lane, Nether Broughton  
**Proposal:** Residential development of up to 25 dwellings includes bungalows to front Hecadeck Lane, with associated access and open space

- (a) The Head of Regulatory Services stated that:

The site is currently greenfield.

The proposal is for 25 houses. The density proposed is 1.25 ha (3.11 acres), which would result in 31 houses per ha (conventional for such a location would be approx= 30)

#### **Update**

Highways – have confirmed that the footpath should extend beyond the frontage of the site and join those further into the village. They advise this could be achieved on highways land so appropriate for a condition.

I have also sought their comments on the objections received regarding access from the A607 and back on to it

There have been 4 accidents further north on the bend (at the Leicestershire/Nottinghamshire border) and there has been 1 at the Hecadeck Lane / A606 junction. In November 2011 a vehicle was waiting to turn right into Hecadeck Lane and was hit from behind by a vehicle travelling North-East bound on the A606. As a result of this there was one casualty whose injuries were classified as slight.

The Applicant has provided traffic survey data (April 2015) which showed a total of 37 vehicles (including 4 HGV's) turned into Hecadeck Lane between 07:15 – 08:15am. This is split down between 16 turning left from the north and 21 from the south, which equates to one every three minutes. There was no queue data submitted as part of the Application but there does not appear to be sufficient evidence to suggest that vehicles' approaching the end of the queue is becoming a source of accidents.

Finally it is perhaps worth noting that following a Route Study of the A606 between Nether Broughton and Upper Broughton a safety scheme was completed in March 2012. This reduced the speed limit from 40 mph to 30

mph on Main Road from the junction with Dairy Lane to just north of Hecadeck Lane junction and north of Hecadeck Lane from 60 mph to 50 mph.

6 further letters of objection have been received. 2 are from objectors who had previously written and who reiterate their concerns (these are reported in the report). The 4 new ones make comments as follows:

- surprised at the recent number of Supporters claiming there is a need for this number of houses in our village. Recent documented surveys have shown this is NOT the case so I wonder where they got their information from or are they just passing an opinion? Planning should be determined based on facts not speculation. The application is out of character and scale with the rural setting in which it is proposed. It is poorly thought out and sited.
- A development of this type will have no architectural merit and will bring no significant benefit to the community.
- The road system is inadequate to cope with the increased traffic volumes. The road is barely wide enough to cope with the current levels of traffic given that it is a major route to Long Clawson and the verges are being severely eroded. The traffic volumes will also impact on other roads in the village given the one way system. Previous applications have been refused on the grounds of narrow roads. Visibility along the road is poor and this will pose a serious threat to road safety given the lack of foot paths.
- The preferred option of surface water drainage is to the Old Dalby brook which will have an impact on down stream flooding and wild life.
- There will be capacity issues at the local school given recent approval of planning permission in the local area. There will also be capacity issues at the G.P. surgery in Long Clawson. The proposal represents a 15% increase to the housing in Nether Broughton which is not what people want. Also, when you go down Hecadeck and turn right onto Middle Lane, that has a real blind spot, so this development poses yet more risk to safety. the brow of the hill on the A606 and turning left onto Church End where the road layout causes traffic from Long Clawson to drift into oncoming traffic. I have seen accidents at both junctions in my relatively short time here.

(b) Cllr Duncan Bennett, The Chairman of Broughton and Old Dalby Parish Council, on behalf of the Parish Council, was invited to speak and stated that:

- The proposed development is unsustainable due to its size.
- School is almost full.
- Cumulative impact due to the 90 houses which have been granted permission in the last 12 months.

- 30 metres away from a grade II listed building which is not mentioned in the officer's report, application or site visit. This is a material planning consideration under the NPPF.
- Application should be deferred until the impact of a development of this size has been independently assessed.
- A disproportionate number of houses in a small village.
- Highways Comments - Duncan Clark has witnessed a car going the wrong way up a one way street and being used as a shortcut. It is unlawful and illegal.
- Lane is not wide enough for access and exit from such a big estate.

Cllr Baguley asked for the location of the grade II listed building.

The Head of Regulatory Services showed Members on a location plan.

(c) Piers Flavin, on behalf of the objectors, was invited to speak and stated that:

- Significant issues have not been fully considered.
- Limited sustainability without key services.
- Significant impact and unreasonable level of risk.
- The village can manage a few small sites but this is a 15% increase and when combined with other recent approvals it forms a 19% increase overall.
- It is in open countryside and part of the green space between villages.
- It is an extension to the village when there are other undeveloped sites within the village including better sites with fewer public safety risks.
- Public transport links are recorded as weak and reliance on car use is inevitable.
- Road unfit for significant traffic increase. One way street with conflict points. Risks to road users will increase.
- Traffic frequently travels the wrong way, which highways have noted.
- All traffic access from the 606, where traffic crossing over, has limited visibility (front and back), facing traffic at 50mph.
- High accident records but this data was not included. Frequent minor accidents.
- Traffic on the lane is constant. A working farm is in the village centre.
- There is a blind bend where pedestrians must walk in the road in to oncoming traffic.
- Exiting the lane has poor visibility.
- Children cross road to get to play area.
- There will be no school places in local primary schools. Oversubscribed.
- No heritage assessment but the site is next to a grade II listed building. Other applications nearby required a heritage assessment.
- Ecology and archaeology conditions have been weakened without explanation. This is a site of significant archaeological potential.
- 20 metre buffer around great crested newt pond has been halved to 10

metres.

- There are no letters of support.
- It is too large and in the wrong place.

Cllr Chandler asked if the Drs Surgery at Long Clawson has an appointments system.

Mr Flavin responded that if you have an existing issue that you have already seen a Dr for they may give you an appointment. However if an appointment is required for a new issue you have to be at the surgery for 8.30am for the drop in session.

Cllr Chandler asked if it was possible to get there by public transport for that time of the morning.

Mr Flavin replied that it was not possible.

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

- Deliver up to 25 new homes and affordable provision.
- Well related to the existing built form of Nether Broughton.
- Worked closely with officers to bring forward a development framework which demonstrates that the site is capable of supporting the proposed development.
- Intention is to build a sympathetic site so as not to appear domineering or overbearing on the street scene of Hecadeck Lane or the wider village.
- Mix of house types including bungalows around open space. A green corridor which would run through the site.
- Of low density and incorporates a wildlife area and significant room for additional tree planting and landscaping.
- No technical objections to the application. No grounds to resist the permission based on highways issues.
- Significant contribution to the Councils 5 year housing land supply position.
- Aim is to build a high quality development in keeping with the existing built form of Nether Broughton.
- Will strengthen and support existing facilities within Nether Broughton and closely related villages.
- Long term viability of local services is a concern and without development may come under threat.
- Strong transport links.
- Much needed new homes.

Cllr Holmes asked for clarification of the transport links.

Mr Mair responded that there are strong public transport links and that the details are

in the committee report. Links Nether Broughton to local services and wider afield.

Cllr Simpson asked for clarification of the distance of the local services.

Mr Mair responded that services are limited in Nether Broughton however access is within reasonable distance in accordance with the NPPF.

The Head of Regulatory Services responded to points raised:

- Grade II listed building – Did not feature as it is considered so severed by the A road, that it's within a different setting and viewing frame to this application site.
- Degree of sustainability – there is not a sliding scale for preventing a larger scheme on a site of limited sustainability rather than a direct contrast as to whether it is Sustainable or not. This is not down to the size of the settlement.
- Primary School - Old Dalby primary school has a surplus of 23. Looking 5-6 years ahead there would be surpluses of 11 and 6. Evidence doesn't support the view that the school would be oversubscribed.

Cllr Cumbers asked for further clarification regarding the transport links.

Cllr Holmes commented that the Council should approach the government if LCC are saying there is no more money towards schools.

Cllr Simpson commented that there is a Number 19 bus service from Nottingham to Melton Mowbray, however not after 6.30pm on a Saturday and not at all on a Sunday. She also expressed concerns regarding the density of the proposed houses and that it is a long way in to the open country side. She also asked what would happen if an important archaeological artefact was found and if development would stop.

The Head of Regulatory Services responded:

- Number 23 bus is more frequent in the morning, and then becomes 2 hourly and then the frequency increases again in the afternoon.
- In discussions with the Education authority. Developers would normally pay through a section 106 however evidence suggests that this development won't generate the number of extra pupils to warrant an extension.
- The site is unusual archaeologically and there has been trial trenching which led to conditions 8,9,10 and 11. This covers how findings will be reviewed, recovered and recorded. They will include measures/trigger points in place if something of high importance is found and development would cease.

Members noted that they have 2 bus services to Nether Broughton which is more than she anticipated and that Drs don't make concessions for people without transport and asked about the Area health authority.

The Head of Regulatory Services confirmed that we consult them.

Concerns were expressed regarding the density of 25 houses on the plot of land and its 'fit' with the surrounding village. There was concern that the 20 metre buffer for the great crested newt pond has been reduced to 10. We shouldn't do just the minimum, we should protect our environment.

**Cllr Simpson proposed to defer** the application due to the density, to increase the pond buffer and to reduce the extent in to the open country side to the north.

Cllr Chandler commented that 30 to the hectare is permissible.

The Head of Regulatory Services noted that this is the norm rather than a benchmark. Parnhams Close which is opposite has 21 houses and is a comparable sized site.

**Cllr Glancy seconded** the proposal to defer.

A vote was taken. 6 Members voted in favour of deferral, 4 voted against deferral and 1 Member abstained.

**DETERMINATION: DEFERRED to invite the applicant to consider reducing the number of houses concerned and increase the wildlife buffer at the perimeter of the site.**

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- (2)    **Reference:**    **16/00235/FUL & 16/00236/LBC**  
      **Applicant:**    **Mrs Ruth Genda**  
      **Location:**    **Navvies Cottage Butt Lane Wymondham**  
      **Proposal:**    **Relocation, extension and use of Navvies Cottage as a dwelling**

- (a) The Regulatory Services Manager stated that the description of development in the title is incorrect, and should read Re-location, extension and use of Navvies Cottage as a dwelling.

The Proposal: The applicant is seeking both planning permission and listed building consent. The report relates to both applications. This is a very unusual proposal, which relates to a grade II listed building which is at risk. It is in the countryside outside both the Wymondham village envelope and conservation area; one of a number of buildings next to the former railway line. The relevant policies are set out in the report.

The Navvies Cottage is a modest, three room single storey wooden framed structure. The owner has unsuccessfully tried to find alternative uses for the building. It is now proposed that the Navvies Cottage would be re-sited and extended to provide a two bedroom dwelling. The existing structure and materials would be re-used as much as reasonably possible. The modern extension, connected with a glazed link, would provide modern living facilities. This was one of three Navvies Cottages built in the nineteenth century

;comprising the station house which was clad in a brick skin about 30 years ago, this cottage and a similar cottage in the field to the west which has been demolished . This cottage would be re-located on the site of the cottage which was demolished. The proposal is supported by Historic England. There are no technical objections or other outstanding matters. It is recommended that planning permission and listed building consent should be granted.

(b) Ruth Genda, the applicant, was invited to speak and stated that:

- The navy hut is the sole survivor of its type so it is listed.
- 9 years spent trying to save it.
- Tried gifting to railway museums and tried self funding.
- Unable to obtain trust grants.
- Design of the extension carefully thought through and approved by historic England.
- Project will be a reminder Wymondham's lost industrial past.
- Offer educational facility and visitor attraction. Open on holidays and by appointment.
- Imperative the building is saved as it won't survive another winter.

Cllr Cumbersasked for further information regarding the visitor attraction.

Mrs Genda responded that it would be available to groups by appointment and especially to children as it is an important part of history.

**Cllr Sheldon proposed approval** of the applications.

The Chair confirmed that Members were happy to take both applications together.

**Cllr Botterill seconded** the proposal and added that he looked forward to seeing it and the importance of seeing the history continue.

Members agreed with the importance of this sort of history. This is just as important as rich buildings if not more so.

The Chair congratulated Mrs Genda for all her efforts and for bringing this forward.

Cllr Wyatt commented that there are not many in England and it is a very worthwhile cause. Not much railway history left.

A vote was taken and the Members voted unanimously to permit.



**DETERMINATION: PERMIT both applications, subject to the conditions and for the reasons set out in the report:**

**The proposal relates to the relocation and extension of the Navvies Cottage into open countryside adjacent to its existing location at Station House, Wymondham. It is considered that the relocation and extension will not cause undue harm to the fabric of the listed building, and the creation of a single dwelling in the open countryside, while contrary to saved policy OS2, is deemed necessary to secure the longevity of a listed building recognised as 'at risk'.**

**The proposed relocation and extension would be sympathetic to the visual appearance of the building and surroundings and would be satisfactory in terms of residential amenity, highway safety and ecology.**

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- (3) Reference: 16/00046/FUL**  
**Applicant: Mr Steven Archer**  
**Location: Brook Farm, 8 Nether End Great Dalby**  
**Proposal: Two Storey 3 bedroomed dwelling with adjoining garage; new vehicular access and parking arrangements of adjoining property**

(a) The Planning Officer stated that there are no updates to the report.

This application seeks permission for the erection of a two storey dwelling. The application site is located within the Conservation Area of Great Dalby. It is acknowledged that the borough is deficient in terms of housing land supply and being of a suitable scale the proposal would help to meet identified local needs of the Borough.

Great Dalby is considered to be a sustainable location for housing and the proposal could be of a design that would not be detrimental to the conservation area, however the location being set back from the road frontage would lead to significant harm of both the conservation area and the character and beauty of the countryside.

On balance of the issues, the proposal is considered to offer public benefit when assessed as required under the guidance in the NPPF in terms of housing supply however the balancing issue is considered to be development that would infill an important green open area which lies outside of the defined village that would neither preserve or enhance the Conservation Area.

As such the application is recommended for refusal as set out in the report.

(b) Ms Johnson, The Chairman of Burton and Dalby Parish Council, on behalf of the Parish Council, was invited to speak and stated that:

- On one of the fingers of countryside that brings a sense of space to the village.
- Negative impact on the conservation area.
- This isn't just a finger of countryside it is an orchard and since 1950 orchards have declined by 63%.
- Hot spots for biodiversity in the countryside supporting a wide range of priority habitats and species as well as nationally rare and scarce species.
- National Trust and National England have been campaigning to prevent the destruction of orchards.
- Significant to the local character of our landscapes.
- Heritage asset.
- Conservation area.
- Detrimental impact is not justified.
- Ecological asset.

(c) Jonathan Weeks, on behalf of the applicant, was invited to speak and stated that:

- He had worked with Council to make a scheme capable of being supported.
- Provided a lot of information to try and address concerns.
- Not in a protected open area.
- Largely lawn with only 4 apple and pear trees on the site which doesn't constitute an orchard.
- Character defined by council as a linear development along Nether End which is wrong.
- All of the properties are on 2 parallel roads. New dwellings have been approved.
- Building been sensitively designed to sit behind existing garage. Effectively mimicking buildings to north. Similar heights.
- Views of the proposed building are only brief glimpses by the sides of the garage and it's only seen in the context of other buildings in this setting.
- No impact on country side.
- Modest and respectful scheme reflecting the character of the area and also the amenity of the local residents.

Cllr Simpson noted that in planning terms a conversion is not necessarily a brand new house.

Mr Weeks provided clarification that he was referring to a combination of additional dwellings i.e. conversions of existing buildings, demolition of existing barns and replacement and new dwellings.

Cllr Botterill asked if there were any preservation orders on the fruit trees as it was rare to see such old trees.

Mr Weeks confirmed that he was not aware of any TPO's but they are in conservation area. He added that there could be a landscaping condition for trees to be put on site.

The Planning Officer added that it would also be a loss of important open space.

**Cllr Simpson proposed to refuse** the application due to protection of open spaces. They have reduced from 500 to 50 after a recent study so there is not many left. It is a conservation area and a very affective space which forms the character of the village.

**Cllr Sheldon seconded** the proposal.

Members observed that it is a sensitive design and only one building but agreed with officers that the green space is more important, and commented that the appeal decisions of 2014 were still relevant and it supports the reason for refusal.

A vote was taken and the Members voted unanimously to refuse.

**DETERMINATION: REFUSE, for the following reason:**

**The proposed development by virtue of infilling an important green open area which lies outside of the defined village envelope would not preserve or enhance the Conservation Area and would have a detrimental impact upon the character of the area contrary to the local plan policy OS2 and BE1. The proposal whilst providing some benefit or providing housing of a category to which the borough is currently deficient is not considered to be of sufficient benefit to outweigh the provisions of the local plan and fails the core planning principles of the NPPF in particular Chapter 11 (Conserving and Enhancing the Natural Environment and Chapter 12 (Conserving and Enhancing Heritage Assets)).**

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(4) **Reference: 16/00421/VAC**  
**Applicant: Mr Ross Whiting**  
**Location: Eastcote, 91 Grantham Road, Bottesford**  
**Proposal: Variation of condition 2 of 15/00924/VAC**

(a) The Head of Regulatory Services stated that he had just noticed an email from the applicant at 5pm this evening requesting to defer the application, in order to consider amended plans

Cllr Chandler expressed surprise at the late information however felt it should be

deferred and shouldn't come back until a final application was ready.

**The Chair proposed deferral** of the application.

**Cllr Sheldon seconded** the proposal.

A vote was taken and the Members voted unanimously to defer.

The Head of Regulatory Services advised that they were hoping to incorporate deviations in one application rather than a succession of further applications.

Apologies were conveyed to the local residents who had attended the meeting intending to participate in the discussions on this application.

**DETERMINATION: DEFERRED to allow processing of the amended plans**

#### PL31. URGENT BUSINESS

Cllr Holmes expressed her concerns regarding the inspectorate decision to give permission for the gypsy site at Goadby Road, Waltham and added her concern regarding the horses on the site. She asked if it was possible to do a judicial review.

The Chair reminded Members that this was not an agenda item or on any other business.

Cllr Sheldon left the meeting at 7.22pm.

The Head of Regulatory Services commented that it would be possible to look into taking the matter to the High Court against the inspectorate, and could invite legal services to advise if there are grounds to challenge the decision.

Cllr Simpson commented that she was surprised at decision but felt that the inspectorate has shown great compassion towards an elderly couple. Welfare of horses is not a planning matter.

Members discussed the suitability of the site for keeping animals.

The Head of Regulatory Services added that the existing High Court Injunction relating to the site requires that they should vacate the site unless they won their appeal, but they won the appeal.

Members noted the request made to Legal Services and asked to be informed of the outcome.

The meeting commenced at 6.00 pm and closed at 7.29pm