



MEETING OF THE
PLANNING COMMITTEE

Civic Suite, Parkside

02 April 2015

PRESENT:

PM Chandler (Chair), J Simpson (Vice Chair), P Baguley,
G Botterill, P Cumbers, A Freer-Jones, E Holmes,
J Illingworth, M Sheldon

Solicitor to the Council (HG), Regulatory Services Manager (PR)
Applications and Advice Manager (JW), Administrative Assistant (KS)

D90. APOLOGIES FOR ABSENCE

Councillor Moulding and Councillor De Burle

D91. DECLARATIONS OF INTEREST

None

D92. MINUTES

Minutes of the meeting 12 March 2015

Approval of the Minutes was proposed by Cllr Baguley and seconded by Cllr Simpson

A vote was taken and it was unanimously agreed that the Chair sign them as a true record.

D93. SCHEDULE OF APPLICATIONS

(1) Reference: 14/00518/OUT

Applicant: Leicestershire County Council
Location: Field Numbers 3016, 3300, 4800, 5427, 7000, 8681 and 9100 off Nottingham Road, Melton Mowbray
Proposal: Residential development for up to 325 dwellings (C3 use class) with all matters reserved except for access

The Chair asked Members if they would suspend standing orders to allow the objectors to speak for 3 minutes each.

Cllr Sheldon proposed that this should be allowed. Cllr Simpson seconded the proposal and the members were unanimously in favour.

- a) The Regulatory Services Manager stated that:
I will introduce both applications (14/00518/OUT & 14/00519/OUT) together as they relate to adjoining sites with many of the same issues applicable to both. Where significantly different those points will be highlighted and emphasise that they are separate applications, which must be decided separately on their own merits.
Described the application sites (14/00518/OUT & 14/00519/OUT) separately explaining that both applications in outline with all matters reserved except access. Nottingham Road site proposes a roundabout at junction with St Bartholomew's Way; Scalford Road site accessed by a T-junction.
Outlined key issues relating to both applications:
Planning Policy Sites are in countryside outside town envelope. Need to apply saved policy OS2 and the NPPF. The authority does not have a 5 year housing land supply in which case para 49 of the NPPF indicates that policies relating to the supply of housing should be considered out of date. Consequently, policy OS2, which recent cases have indicated is a policy relating to the supply of housing, must be considered out of date and the presumption in favour of development applies and para 14 of the NPPF is engaged. In summary, para 14 states that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
Considered the three dimensions to sustainable development; economic, social and environmental. But noted that while there would be economic and social benefits the environmental harm, specifically the highways and transportation objections, are sufficiently significant and demonstrable to outweigh any of the benefits.
Inspection of the Core Strategy – Applications relate to specific sites with detailed supporting information addressing many of the points raised by the Inspector. Must also note that comparison of alternatives for an SUE was only one of the reasons why the Core Strategy was found unsound; others included quantity of housing, timeframe and detailed matters relating to transport, economic strategy and the SA.
Character of the Area – No statutory landscape designation to either site. Referred to Melton Landscape Character Assessment and situation in zone A and more detailed landscape assessments submitted by applicants. Would be some harm but insufficient to support refusal of planning permission. Scalford Road site

– landscape already dominated by John Ferneley College and Nottingham Road – close to existing residential development, but noted relationship with Sysonby Lodge, a grade II listed building.

Highways & Transport – Reported very detailed comments of Highway Authority and their advice to refuse planning permission. Outlined work with Jacobs and cumulative development impact study and the shortcomings of proposed mitigation. Supported reasons for refusal; impact upon safe and efficient operation of network; inadequate mitigation and increased traffic generation.

Concluded that significant harm to transport and highways outweighs the benefits of the development.

b) Jo Brooks, an objector, was invited to speak and stated that:

- Road network has capacity issues
- Link road is inadequate to bypass
- Land could be critical for bypass route
- Traffic Assessment underestimated the impact
- Lead to traffic back up on Wilton Road
- Mitigation assessment inadequate
- Concern over the protection of high valued land
- Site recently downgraded from 3A to 3B
- Economic and social benefits applicable to any site
- No specific benefits of this site
- Impacts outweigh the benefits

Cllr Simpson asked for clarification on which way the traffic on Wilton Road would be backed up.

Ms Brooks stated that it would be from Norman Way to Leicester Street.

Tony Maher, a second objector, was invited to speak and stated that:

- Direction of growth couldn't be supported to the North
- Core Strategy shows land used in all options – the Inspector's comments need to carry more weight
- Proposal would change the landscape character of the area
- When John Ferneley College was built, the landscape rating remained unchanged

The Chair stated that the impact of Ferneley College is already a blot on the landscape

Mr Maher stated that from the North and South, the College is obtrusive but when approaching from the East-West, it does not have such an impact.

Cllr Manderson, the Ward Councillor, was invited to speak and stated that:

- Negative impact on residents of Sysonby Ward

- Additional traffic to Nottingham Road and Scalford Road would bring roads to a standstill at peak times
- Does not have necessary road infrastructure

The Regulatory Services Manager stated that the impact to the landscape may not outweigh the benefits of the proposal, and that there would be a loss of part of the landscape but not all of it.

Cllr Illingworth stated that the roads are already at their capacity and **proposed to refuse the application** as per the officer's recommendation.

Cllr Botterill seconded the proposal to refuse.

Cllr Simpson stated that there is currently no local plan, no bypass and these things are needed before this type of application is permitted.

A vote was taken and it was unanimously decided that the application should be refused.

DETERMINATION:

Refuse planning permission for the three reasons reported.

- (2) **Reference: 14/00519/OUT**
Applicant: Richborough Estate
Location: Field Numbers 0824, 7419 and 9216 off Scalford Road, Melton Mowbray
Proposal: Residential development for up to 225 dwellings (C3 use class) with all matters reserved except for access

- The Regulatory Services Manager stated that there was nothing more to add from the previous application (14/00518/OUT).
- Jo Brooks and Tony Maher were invited to speak again and expressed the same points as on 14/00518/OUT.

Cllr Manderson, the Ward Councillor, was invited to speak and stated that:

- Issues of road safety
- Concern over students of John Ferneley College walking to and from school

Cllr Illingworth stated that there would be traffic congestion, and safety is a significant impact as Scalford Road has a busy footpath and has a lot of pedestrian traffic. **Cllr Illingworth proposed to refuse** the application as per the officer's recommendation.

Cllr Botterill seconded the proposal to refuse and stated that the bypass should be in place before these proposals come in.

A vote was taken and it was unanimously decided that the application should be refused.

DETERMINATION:

Refuse planning permission for the three reasons reported.

- (3) **Reference:** 13/00596/FUL
Applicant: Mr G Habenicht – Six Hills Renewables Ltd
Location: Six Hills Farm, Paddy’s Lane, Old Dalby
Proposal: **Erection of a single wind turbine (79m to blade tip) and associated infrastructure including transformer substation, crane hard standing and temporary construction area. Also upgrade and extension of farm access track and widening of existing site entrance**

a) The Applications and Advice Manager stated that:

This application relates to the erection of a single turbine with a blade tip height of 79 metres and hub height of 51 metres. The application site is located in the open countryside between the A46 and A6006 Melton to Rempstone Road.

Since publication of the report four additional letters of objection have been received. The additional comments are;

- lack of notification of the application particular to properties within a mile of the turbine
- The size of the turbine it is too big and too close and would be an eyesore.
- Concern over flicker and noise on residential properties and livestock.
- There are too many turbines in this area with 9 being erected over the road. Impact on properties prices. There should be no more turbines within the immediate surrounding area. There will be a cumulative impact; this would be the 13th consented turbine within a cluster.
- Outlook to properties and gardens will be damaged.
- The turbines are too close to many private dwellings the nearest Willoughby Lodge and rose Cottage are only around 500 metres from the turbine.
- It will impact on the character and appearance of the rural landscape. Due to the size and scale of the turbine it will be seen from numerous points in the local landscape and beyond. The turbine would be enormous, discordant, artificial, moving in a predominantly rural tranquil landscape.
- The officer has downgraded the sensitivity of the turbine to medium.

- Impact on leisure, tourism and local business. The landscape is popular with golfers, walkers, horse riders, cyclists, fishermen and other visitors who come to enjoy the countryside. The turbine will destroy the attractive characteristics. Concern over the impact on Six Hills Golf Club which is an important local facility.
- Impact on golf course detrimental to the golfing experience and the appearance and character of the countryside. The turbine will be visible and dominant from many viewpoints on the course and a distraction for golfers. Also detrimental to the club house, its restaurant and stewards accommodation and Six Hills Farm House which are only some 800 metres away. The turbine will threaten the social and economic benefits of the existing recreation and leisure facility.
- Impact on health – concern over noise, shadow flicker and visual effects. Sleep disturbance and the impact on epilepsy and autism.
- Impact on wildlife – bats, birds especially geese and swans.
- Traffic safety – visual distraction and flicker to drivers particularly the A46.
- House prices reduced
- Concern that the recommendation has change since 2013.

In response to these comments;

It is considered that all of these issues have been addressed in detail within the report. The application was first received in August 2013 and the application was consulted in line with consultation procedures. The application was deferred from Committee in December 2013 to allow for the safeguarding issues to be considered further. In this time the application has progressed and an application for two turbines in close proximity to this site has been refused and not appealed changing the assessment basis of this application.

Correspondence has been received from the agent requested amendments to the proposed planning conditions in the report. They have asked for revisions to Conditions 4, 5, 6, 11 and 15. These represent minor amendments to the conditions and it is requested that if the application is considered to be acceptable then delegated consent be granted to Officers to amend the conditions outlined in the report.

The application has been assessed and it is considered that the proposal would be acceptable in the landscape, to residential amenity, visual impact and heritage assets. The proposal is therefore recommended to delegate to officers to approve subject to alterations to conditions.

b) Maurice Fairhurst, an objector on behalf of Six Hills Golf Club, was invited to speak and stated that:

- Massive artificial structure
- Damage to the character of the landscape
- Downgrades land from medium-high to medium
- Adverse cumulative impact

- Visibly dominant
- Distracting to golfers at 150m away from closest hole
- Damaging to golf clubhouse at 600m away
- Threat to social economic benefits
- Turbine damaging to the amenities of the golf club and neighbouring residencies

Trevor Hunter, the agent, was invited to speak and stated that:

- In line with Planning Policy
- No objections from statutory consultees except for concerns from East Midlands which have been resolved
- Bland and uninteresting landscape – agrees with detailed landscape and visual impacts assessments
- Deemed to cause no unacceptable impacts on relevant landscape character area
- Area already has human influence with overhead pylons, mobile phone masts and the acceptability of wind turbines has already been set by Dalby wind farm.
- Relatively uncontroversial with only 8 letters of objection
- Turbine would bring in income for farmer

Cllr Orson, the Ward Councillor, was invited to speak and stated that:

- Cumulative impact
- Suspect supporters of the application don't live locally
- No economic benefit to the area
- Hazard and distraction to A46
- Impact on golf course immediate

Cllr Freer-Jones stated that the economic benefit is only to the land owner, not to a wider area.

The Applications and Advice Manager stated that there was a tendency to approve smaller scale turbines under 50m on farms. This turbine would be the same height at the other 9 nearby.

Cllr Freer-Jones asked how much more renewable energy is needed if the other 9 turbines nearby already benefit the area.

The Applications and Advice Manager stated that the cumulative impact relates to the landscape changes, not to economic benefit. She stated that the Members' judgement is whether the turbine will have a detrimental impact.

Cllr Holmes proposed to refuse the application as the golf course is an asset to the area and is socially beneficial to the borough of Melton, and the turbine would be a distraction. The land is flat, thus there is nothing between the site and the golf club and neighbouring residencies so would be visible and would have a

cumulative effect on the landscape.

Cllr Simpson seconded the proposal to refuse and stated that the turbine would have cumulative impact on the landscape and a negative effect on the economy and the viability of the golf club.

The Applications and Advice Manager clarified that the grounds for refusal were cumulative impact and impact on the landscape. There was no evidence to prove the turbine would impact the golf club and its members, however it would affect the enjoyment of the countryside.

Cllr Illingworth stated that the amenity of the surrounding area attracts people to the area. The attraction of the golf course is a key part in golfers' decision of which tournaments to play in.

Cllr Botterill stated that he felt it was not good enough for some areas to have many turbines and others to have none. Green energy is a good way forward so it would be better to have two smaller turbines.

A vote was taken. 8 Members were in favour of refusal. Cllr Cumbers was against refusal.

DETERMINATION: Planning permission refused for the following reasons

1. In the opinion of the Local Planning Authority the turbines would create an unacceptable cumulative impact in the landscape which cannot be made acceptable and would give the appearance of wind farm clutter, contrary to the guidance offered in the document Planning Practise Guidance for Renewable & Low Carbon Energy, the NPPF paragraph 98 and policy C2 of the Melton Local Plan.

2. The proposed wind turbine would have a detrimental impact upon the use of the nearby golf course due to its close proximity, height and movement, contrary to the guidance in paragraph 70 of the NPPF.

3. The proposed wind turbine would, by virtue of its proposed size, height and movement would introduce a new element into this landscape that would be widely visible. This visibility and presence would exceed that of any existing local features by reason of the height, colour and movement of the proposed turbine. The development would constitute a prominent feature in the open countryside which would fail to protect or enhance its distinctive local character and is not capable of mitigation or adequate compensation. Accordingly the development is contrary to the provisions of Policy OS2 of the adopted Melton Local Plan and the guidance offered in the NPPF. These impacts are not considered to be outweighed by the benefits of the proposal in terms of the generation of renewable energy.

- (4) **Reference:** 14/00841/FUL
Applicant: Mrs J E Dolan
Location: Field OS6700, Main Street, Kirby Bellars
Proposal: Erection of 3 Holiday Homes on land adjoining Hawthorn House, 53 Main Street, Kirby Bellars

The Chair asked Members if they would suspend standing orders to allow Angus Smith from Kirby Bellars Parish Council to speak. Cllr Sheldon proposed that this should be allowed and Cllr Cumbers seconded the proposal. It was unanimously decided he would be allowed to speak.

- a) The Applications and Advice Manager stated that:
This application seeks planning permission for the erection of 3 holiday homes on the edge of the village of Kirby Bellars.

There are no updates to report.

The village of Kirby Bellars is not considered to be a sustainable location for additional housing. This application proposes three 2 bed holiday lets. The applicant has put forward a case, which is detailed in the report, for the need for this type of holiday accommodation. The application needs to be assessed on the contribution it may make to the rural tourism economy and in line with the NPPF which supports rural economy and sustainable rural tourism. Details of the attractions and facilities in the area have been provided to demonstrate what could be benefited from this type of development.

It is considered that the buildings have been designed to imitate agricultural buildings and the layout has been designed to retain open space to the front of the buildings. The proposal is not considered to harm the character of the open countryside or the amenities of adjoining properties.

Therefore the application is recommended for approval as set out in the report.

- b) Angus Smith, from the Parish Council, was invited to speak and stated that:

- Kirby Bellars not a sustainable facility
- Do not recognise the demand for tourism
- Bed & Breakfast closed down
- Holiday lets nearby were not used and became permanent dwellings
- Sewage system issues
- Difficulties with junction onto A607 from Main Street
- Increase in traffic
- Sets precedent if approved

- c) Iain Reid, on behalf of the applicant, was invited to speak and stated that:

- Provision of self-catering accommodation
- Council supports tourism in the Borough
- Commercial assessment – strong business community
- Range of local and national facilities
- Tourism is sustainable
- Archaeology concerns resolved
- Development of site enhances character of village

Cllr Illingworth asked what the need as a tourist is.

Mr Reid stated that there is need for economic development and a case to grow in the self-catering market.

Cllr Simpson asked if the policies were supportive of development outside the village envelope.

Mr Reid stated that they were supportive as the site sits in the countryside and would contribute to the village.

Cllr Sheldon noted that the bus service does not run on Sunday's or at night.

Mr Reid stated that he accepted the bus service was less good on Sunday's, however through the week it is a very good service.

Cllr Freer-Jones asked how the need for self-catering tourism had been identified.

Mr Reid stated that rural affairs and LEPPER report indicates tourist activity but the area lacks self-catering accommodation. A study had not been carried out.

Cllr Freer-Jones noted that Eye Kettleby Lakes provide self-catering accommodation and the Premier Inn was recently built in town. She felt that this application was no different to the previous one in terms of benefitting to the area.

Cllr Cumbers stated that there was a need for more tourist accommodation however previous dwellings ended up being permanent residencies.

Cllr Illingworth stated that Eye Kettleby Lakes expanding proves there is a demand for tourist accommodation. The rule of sustainability could not be applied for tourism as tourists in rural locations do not necessarily use local public transport.

Cllr Freer-Jones proposed to refuse the application due to the location being unsustainable for tourism and there is no justification to build outside the village envelope.

Cllr Cumbers seconded the proposal to refuse due to there being no proven need.

Cllr Illingworth noted that LEPPER showed there is a need. Cllr Cumbers stated that this need is regional and Leicester, not for Kirby Bellars.

A vote was taken. 6 Members voted in favour of refusal. 3 Members voted against refusal. Cllr Simpson wished for her vote against refusal to be recorded.

DETERMINATION: Refuse planning permission for the following reasons

1. The development is considered to represent unsustainable tourism in the open countryside contrary to paragraph 28 of the NPPF by virtue of its proposed location adjacent to an unsustainable village.
2. It is considered that there is insufficient evidence to support a case that there is an identified need for this development which is not met by existing facilities. Consequently, the development is considered to be contrary to paragraph 28 of the NPPF.

The meeting was adjourned for a five minute break at 8pm. The meeting reconvened at 8.05pm

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- (5) **Reference:** 14/00879/FUL
Applicant: Long Clawson Dairy Ltd
Location: Long Clawson Dairy Ltd, 28 West End, Long Clawson
Proposal: New packing building with cold storage facility and link to existing buildings, associated external plant area and external yard additions. New milk reception building and new covered milk offload area. Extension to service yard and removal of landscaped bund, with associated diversion of public footpath.

- a) The Application and Advice Manager stated that:
This application seeks permission for a new packing building with cold storage facility, external plant area and yard. A new milk reception and offload area. The application also includes the extension to service yard and removal of part of a landscaped bund.

Since publication of the report a strong objection has been received in relation to noise. The objector is not able to attend this evening and has asked for his objection to be circulated to members which has been done via email. In summary the letter has expressed concern on behalf of the resident in properties on Hickling Lane down-wind of the proposed development. The removal of the bund which is the only sound absorbing obstruction between the dairy's operating site and the properties to the north down – wind of the prevailing wind direction. With this and the manoeuvring area they would be faced with increased noise. There is existing and inevitable worsened nuisance caused by vehicle sirens which often commence at 5am and earlier as lorries arrive in good time to load and unload goods and at 6am when the dairy's operations commence. Nuisance persists throughout the day as vehicles are loaded and unloaded and when fork life trucks move materials and produce about the yard. The Planning Officer advised that a noise assessment

would be carried out and that this would be conducted on a scientific basis using professional methods to sample the noise from the site. However, the noise assessment did not cover properties to the north of the dairy or the effect of reversing sirens. No one has visited the properties. The planners have declined to widen the scope of their instructions to noise sample to properties to the north. Therefore make a request to committee to withhold consideration of the application until a scientifically based noise assessment has been conducted covering all the properties affected by the existing high level of noise which will inevitably be worsened by the development. Requested that a noise assessment is undertaken at properties to the North.

In response to this, advice has been sought from Environmental Health who have advised that the noise assessment is adequate for its intended purpose, characterizing the noise environment at the closest receptors and making an assessment of the potential impact of the proposed plant building. With regards to noise from vehicles reversing this hasn't been assessed and noise could be intrusive and may increase due to the removal of the bund, increase in vehicles and the reduced distance to the receptor. If noise from reversing sirens should be considered to be unacceptable then mitigation measures could be undertaken. However, as there has been no background noise monitoring and given that the proposal may lead to an increase in noise it is considered that a noise assessment should be undertaken with regards to vehicular movements on site.

The prevailing wind is south westerly.

Further information has been sought from the agent who has clarified that: They were not asked to assess the internal vehicle movements as part of the commissioned acoustic report, but would like to point out that any noise emanating from this activity would have been included in the background noise assessments against which the application is being judged.

The application states that there will be a reduction in general vehicle movements & this occurs in 2 ways;

Internal vehicle movements – the application enables process flow within the Dairy to be streamlined, and turned through 90 degrees away from the old site entrance off West End– currently however there are approximately 20 vehicle movements per day between various parts of the Dairy which will be removed through the relocation of the packing building at the bottom end of the site. Ultimately the only vehicle movements will be milk in and cheese dispatched – all other movement of cheese will be internally contained within buildings, benefiting the business and local noise environment.

Relocation of the milk reception as part of this application will enable milk tankers to enter and exit in a single one way movement. This removes the need for reversing beepers which are currently used at the West End milk reception – this is currently the highest part of the site and could contribute to sound levels travelling over the screening.

External vehicle movement – the inclusion of cold storage within the scheme will negate the requirement for vehicle movements off site – currently the Dairy utilise 3 off site cold storage facilities & estimate there are 3-4 vehicles per day at normal

production, however in peak times this can increase 4 fold. Provision of on-site cold storage will negate this movement both inwards and the return journeys, especially vehicle movements to and from Bottesford.

With regard to the marshalling area, the area is used for general storage of crates, pallets and skips and will be used for a limited amount of vehicle parking at peak times. Generally forklift operation will take place in this area, however hours of use for this activity are 7.30am to 4pm. Milk tankers usually leave site at 5.50am – however these start up and go – they are not manoeuvred on site.

The dairy have an on-going commitment to reducing vehicle movements both operationally (milk tanker trailers etc.) & for staff through their existing travel plan.

We are satisfied that the noise assessment is adequate with regards to the proposed plant building. However, there is a concern over the noise of vehicular movements which has not been assessed. Therefore, it is recommended that the application be delegate to Officers to permit subject to receipt of a noise assessment with regards to vehicular movements on site the conditions set out in the report.

b) Richard Cooper, the agent, was invited to speak and stated that:

- Benefits to dairy and village to move entrance
- Packing building remains unchanged
- Addition of cold storing
- Vehicle reductions
- Relocation of marshalling yard – removal of screening
- Reduce level of sound travel
- Benefits the local economy

Cllr Baguley was concerned that there was no mention of lighting.

Mr Cooper stated that there was a requirement for security lighting in the marshalling yard. This lighting would be at a lower level than the streetlamps outside.

Cllr Simpson asked if the applicant was content with the condition of sound testing.

Mr Cooper stated it would slow the process of the application but they were prepared to do the assessment.

Cllr Holmes suggested that the application should perhaps be deferred.

The Applications and Advice Manager stated that the application would be slowed if it was deferred and would not be at Committee until June as there is no provision for a meeting in May due to the post-election period. The background noise levels are not currently available but the application could be approved as soon as they are.

Cllr Baguley proposed to permit the application subject to the officer's recommendation and the noise assessment.

Cllr Botterill seconded the proposal to permit.

Cllr Illingworth proposed to defer the application as the assessment had not already been done.

Cllr Freer-Jones seconded the proposal to defer because if the noise assessment comes back as unacceptable the Committee would not be part of the decision. She stated that they needed to support residencies not just businesses.

A vote was taken. 2 Members were in favour of deferring the application. 6 Members were against deferral and 1 Member abstained.

A second vote was taken. 7 Members were in favour of approval of the application and delegating powers to officers. 2 Members were against approval.

DETERMINATION:

Delegated to officers to approve subject to receipt of additional noise information and subsequent amendments to relevant conditions

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- (6) **Reference:** **14/00972/FUL**
 Applicant: **Mr Harman**
 Location: **19A Bolton Lane, Land to the rear of 21 Bolton Lane, Hose**
 (former Black Horse)
 Proposal: **New three bay garage**

- a) The Applications and Advice Manager stated that:
This application seeks planning permission for the erection of a three bay garage within the Conservation Area for Hose but partly outside the village envelope.

During the site visit on Monday a question was raised with regards to the height of the existing stable block to the North West of the proposed garage. The applicant has confirmed that the existing stables have a rear elevation height of 2 metres and front eaves height of 2.5 metres. The overall height is 4 metres from finished floor levels. In confirming these measurements the applicant has advised that the height denoted on the plan is incorrect and should be 3.4 metres to the ridge.

In assessing the application it is considered that the size, scale and mass are acceptable. The design is considered to enhance the Conservation Area and it has been assessed that the proposal would not cause undue loss of privacy or outlook to the adjoining properties due to the distance and height of the garage. Whilst situated in the open countryside the garages are in a position close to the built form

of the village, existing structures and within the recently approved residential curtilage of 19a Bolton Lane to not have an adverse impact on the open countryside. It is considered that a revised height of 3.4 metres would be acceptable and it is requested that the application be delegated to Officers to approve subject to the receipt of amended plans showing the revised height of 3.4 metres and the conditions set out in the report.

b) Mike Harman, the applicant, was invited to speak and stated that:

- Outside village envelope
- Overbearing impact of steel storage containers removed
- Reduce scale mass
- Ridge lowered to 3.4m
- 19A benefit from storage and privacy

Cllr Baguley proposed to permit the application and stated that it was a high quality design.

Cllr Illingworth seconded the proposal to permit.

A vote was taken and it was unanimously decided that the application should be permitted.

DETERMINATION:

Delegated to officers to approve subject to submission of amended plans (height of building)

- (6) **Reference:** 14/01007/FUL
Applicant: Little Britain Pub Company Ltd
Location: The Crown Inn, 7 Debdale Hill, Old Dalby
Proposal: Rear single storey pitched roof extension with porch to the rear entrance, replacement sliding folding windows and brick stall riser to the restaurant extension, new timber pergola structure with polycarbonate and fabric covered roof, new stand-alone pitched roof smoke house to garden area

a) The Regulatory Services Manager stated that:

Updated Members that one more letter of support had been received since the agenda had been published.

Explained that the application related to a currently vacant public house in the village. There are three elements to the proposal a rear porch/entrance extension; a timber pergola and a freestanding pitched roofed smoke house to the garden area.

The consideration of the proposal required balancing the commercial needs of a community asset against the possible harm to the amenities of neighbours. The mixed views of local residents are reflected in the support for and objection to the proposal.

The key issues are the principle of development; the visual impact on the site and surroundings; the impact on the residential amenities of occupiers of neighbouring properties and highway safety.

Noted that principle of the development of a public house in a village was acceptable subject to the following considerations.

Design and appearance of the works are acceptable, especially as mostly at the rear of the premises.

The smoke house, to be used for outdoor catering, would encourage the concentration of noise and activity to a specific part of the grounds of the public house, with some impact upon neighbours. But must note that currently the outdoor areas could be used for a variety of uses associated with the public house, with no planning controls. The recommendation includes an hours of use condition for the smoke house which should mitigate any harm.

Parking would be slightly improved with the provision of 2 disabled parking spaces. The Highway Authority has not objected to the application.

Recommend that permission is granted subject to the conditions in the report

b) Cllr Orson, the Ward Councillor, was invited to speak and stated that:

- No personal interest
- In decline since the 2000's
- Vacant for approximately previous 12 months
- Concerns over noise and light can be overcome through licensing and planning

Cllr Holmes proposed to approve the application.

Cllr Baguley seconded the proposal to approve the application as the pub is important to the community.

Cllr Simpson stated that she would like to see ambient lighting implemented, not floodlights and that the residential amenity should be respected.

A vote was taken and it was unanimously decided that the application should be approved.

DETERMINATION:

Approved as recommendation

- (6) **Reference:** 15/00019/FUL
Applicant: Mr A Singh
Location: 33 Grange Drive, Melton Mowbray, Leicestershire
Proposal: New A1 single storey retail unit

The Chair asked Members if they would suspend standing orders to allow a late request to speak. It was unanimously decided the speaker would be allowed.

- a) The Regulatory Services Manager stated that:

Advised that we had received an additional letter of objection from the owner of an adjacent property. In addition to raising similar objections to those already reported it raised concerns about access to the neighbouring flats. Noted that the writer would be speaking at this meeting and would raise relevant points themselves.

The application is for a new retail A1 shop to be located next to the existing OneStop shop on Grange Drive. It would be a flat roofed single storey retail store on land which is at present unused.

It is considered that the main issue relating to the application is the impact of the proposal on residential amenity. The application only relates to an A1 store and notwithstanding objections and concerns about possible future uses there was no evidence to reasonably resist the application. Other regimes, such as Licensing, would control, for instance, the sale of alcohol.

It is well situated in an accessible location with reasonable parking. It is recommended that permission is granted.

- b) Trisha Patel, an objector, was invited to speak and stated that:

- Previously whole range of shops removed to build properties
- Metal storage containers should only have been there a limited period of time
- Parking issue
- Further walking distance for residents
- Not visible so greater risk of anti-social behaviour and fly tipping
- Does not enhance employment as family run
- Damage to property not maintained by applicant

The Solicitor to the Council immediately adjourned the Meeting at 9pm as it had run for three hours.

The Chair asked Members if they would suspend standing orders and continue the Meeting. Cllr Sheldon proposed to continue and it was unanimously decided that the Meeting would continue.

Cllr Freer-Jones stated that parking is an issue as cars would back out of spaces onto a busy road with a school nearby. An extra shop would cause traffic issues. She stated that there was no need for a second shop as the one already there services the locals.

Cllr Cumbers stated that more shops would increase choice.

Cllr Holmes proposed to refuse the application as there was previously an order on the area as there was anti-social behaviour, another outlet on the site would create more parking issues and make the busy road more dangerous, and there is no need for a second shop.

Cllr Illingworth seconded the proposal to refuse as it is dangerous for cars reversing out of the spaces onto Grange Drive and there would be an increase in this therefore an increase in hazard.

A vote was taken. 4 Members were in favour of refusal. 5 Members were against refusal.

Cllr Cumbers proposed to approve the application as per the officer's recommendation.

Cllr Botterill seconded the proposal to approve.

A vote was taken. 5 Members were in favour of approval. 4 Members were against approval.

DETERMINATION:

Approved as recommendation

D94. ARRANGEMENTS FOR SITE INSPECTIONS FOR PLANNING APPLICATIONS

a) The Regulatory Services Manager presented the report and stated that:
The site visit procedure is amended:

- To clarify that applicants/agents and objectors/supporters or any representatives of the community may be present, but could not participate in the site visit.
- To allow Members to receive suggestions of further vantage points

Cllr Illingworth proposed that the recommendation should be submitted to Governance

Committee & Full Council for consideration.

Cllr Sheldon seconded the proposal.

A vote was taken. It was unanimously decided the recommendation should be submitted.

DETERMINATION:

Amendments to site visit procedure agreed as recommendation

D95. URGENT BUSINESS

Site Visit on the 20th April

The Chair asked if Members were happy for the site visit to take place between 12pm and 2pm.

Cllr Freer-Jones asked if it could be moved to 1pm.

It was unanimously decided that the site visit would take place at 1pm on 20th April.

The meeting commenced at 6pm and closed at 9.30pm