



MEETING OF THE
PLANNING COMMITTEE

Civic Suite, Parkside

22 December 2016

PRESENT:

J Illingworth (Chair), J Simpson (Vice Chair), P Baguley,
, 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 (GBA), Conservation Planning Officer (TE)

PL53. APOLOGIES FOR ABSENCE

There were no apologies received.

PL54. DECLARATIONS OF INTEREST

Cllr Chandler declared a personal and prejudicial interest in application no.16/00692/FUL and declared that she would leave the meeting at that point.

PL55. MINUTES

Minutes of the meeting 01 December 2016

Approval of the Minutes was proposed by Cllr Baguley and seconded by Cllr Wyatt. The Committee voted in agreement. It was unanimously agreed that the Chair sign them as a true record.

PL56. SCHEDULE OF APPLICATIONS

- (1) **Reference:** 13/00256/FUL
Applicant: Mr Craig And Neil Birch - A R Birch And Son
Location: Station Farm, Station Road, Waltham On The Wolds, Melton Mowbray
Proposal: Amendment to Installation of a single wind turbine with a maximum height to tip of 36.5m a new access track a hardstanding a small substation building, temporary wind monitoring mast and associated infrastructure

- (a) The Head of Regulatory Services introduced the item as follows:

The report was intended to provide an update addressing the matters that led to deferral at the last meeting.

In summary –

- Consultation arrangements : the application is so old that it predates the duties imposed on applicants and is not at fault for not doing them than or at a later stage.
- WMS implications: similarly owing to its age, the application is not subject to the whole content of the WMS but the transitional provisions. These include the reference to the impact on the affected community, but does not include the requirement to be in an area allocated by a Local plan as would later apps.
- The appeal and case law on ‘affected local community’ is varied and examples can be found where decisions have simply relied on the opposition of local residents to refuse permission, and others (provided by the applicant) where the LPSA’s assessment of the issues is regarded as having been addressed.

We have received further confirmation for a list of 18 residents confirming that their objections still stand, and in the report (Appendix B, at the end) are maps showing the addresses of objectors. This is relevant as WMS and PPG require us to determine both who is the ‘affected community’ and whether their concerns have been resolved.

It is considered that, on the basis of the former, it remains legitimate to refuse the application and the proposed reason (adapted to omit the reference to local plan allocation) is cited on page 3 of the update report.

- (b) Peter O’Connor, on behalf of Waltham and Thorpe Arnold Parish Council, was invited to speak and stated that:
- The Parish Council object unanimously to the application
 - Personal representation for parishioners remain concern regarding impacts on them or the landscape

- It does not have their backing
- In agreement with the recommendation.

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

- She represented the local community most affected (within 1km)
- There is unanimous objection based on noise and landscape issues
- Noise cannot be addressed by conditions
- WMS is clear on the need for the backing of local communities
- WMS also includes requirement for it to be in a designated area and the impacts are fully addressed and has the backing of the community
- Policy C1 protects against the loss of the best agricultural land, subject to criteria. The land is highly productive grade 2.

Cllr Simpson sought clarification how close she lives from the turbine

Mrs Sharp was unsure, but less than 1km

(d) The applicant Mr Birch and his agent Mr Fairlie addressed the Committee:

- Questions the refusal, based on how issues have been addressed
- Application acceptable in all respects and this constitutes the issues having been addressed
- Amendments have been undertaken to address aviation issues
- The reduction ensures it is not visible from Vale of Belvoir or Conservation Areas
- The proposal will replace energy from carbon
- All issues have been addressed.

Cllr Cumbers sought clarification of the derivation of the figure of $\frac{3}{4}$ of residents support wind energy

Mr Birch advised it was a COMRES survey and the exact outcome was 73%

Cllr Cumbers sought clarification about pre application consultation

Mr Birch advised residents within 1000m were visited with an offer to visit an operational turbine. This comprised 7 households. There were no guidelines at the time so difficult to know where to draw the line. The turbine is approx 2,m from several villages.

Cllr Simpson asked how impacts other than aviation had been addressed

Mr Fairlie responded that the reduction in tip height addressed impacts on landscape impacts. Radius of affects 750m to character due to reduction in height.

Cllr Simpson sought clarification whether residents were consulted on revisions ,

Mr Birch responded that they were not.

The Head of Regulatory Services responded to the representations received, advising that the Ministerial Statement contains transitional provisions applicable to this application because of its date of submission, i.e the requirement to be in an area allocated in a Local plan as suitable does not apply. He also commented that it is commonplace to apply conditions to control noise, and appeal decisions have followed suit.

Cllr Simpson questioned the impact upon conservation areas . the Head of Regulatory Services confirmed that officers had concluded little impact on the Conservation Areas mentioned by Mr. Birch.

In discussion Members noted that height of turbine had been significantly reduced since application first submitted.

Members noted location of nearest dwellings and considered that there would be little impact of visual impact and could not support refusal. Another Member considered that the applicant had done all that they could to overcome the concerns of objectors.

Cllr Simpson proposed refusal of the application on the basis of its landscape impact arising from its height and movement, and under the terms of PPG guidance that the application had not addressed the concerns of the affected community nor does it have their backing.

This was seconded by Cllr Holmes

A vote was taken:
5 in favour of refusal;
5 against

The Chairman used his vote and was consistent with his vote to refuse. Consequently, vote was 6 in favour of refusal and 5 against refusal.

The following Members asked for their **votes against** this decision to be recorded: Cllrs Baguley, Chandler, Cumbers, Sheldon and Wyatt.

DETERMINATION: REFUSE for the following reasons:

1. The proposed wind turbine would, by virtue of its height and movement, 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, 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.

2. The application would Local Planning Authority is not satisfied that, following consultation, the proposal has the backing of the affected local communities. The proposal is contrary to the Written Ministerial Statement dated 18th June 2015.

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- (2) Reference: 16/00157/OUT
Applicant: Hofton & Son Ltd
Location: Land Adjacent The Woodlands, Station Road,
Old Dalby
Proposal: Development for up to 25 dwellings**

(a) The Head of Regulatory Services stated that:

The application was deferred from earlier meeting to consider a revised report addressing the noise environment of the site.

This has now been assessed and, in summary, whilst the EHO does not conclude that it demonstrates the site will be unaffected by noise, equally he does not consider that noise can be proven to be a problem that cannot be overcome. This is particularly because of the outline status of the application and limited detail of layout and design issues that will have a great influence on both noise exposure and ability to mitigate it. The proposed solution is captured in condition no. 12 which requires these issues to be resolved and addressed once the details are known and it can be addressed in a thorough manner.

It is understood Members have been approach by the owner of the adjacent industrial unit on exactly this point, and would offer that this way forward safeguards his interests.

Also a late representation of highways matters, questioning how the off site highways matters (junction lanes, pavement provision etc,) will work in practice, if the development goes ahead alongside other.

The Highways Authority (HA) has been consulted and they advise that the requirements made on this application are provided in isolation as it needs to be capable of development without dependency on others which may or may not go ahead. If however they do, there will need to be co-operation between the parties and the HA can control this because it is works within the highway and within their control under s278.

Schools

Primary

The site falls within the catchment area of Old Dalby C of E Primary School. The School has a net capacity of 147 and 154 pupils are projected on roll should this development proceed; a deficit of 7 places (of which 1 is existing and 6 are created by this development). In order to provide the additional primary school places anticipated by the proposed development the County Council would request a contribution for the Primary School sector of £72,594.06.

Secondary

The schools have a total net capacity of 1900 and a total of 1932 pupils projected on roll should this development proceed; a deficit of 32 pupil places. In order to provide the additional 11-16 school places anticipated by the proposed development, the County Council requests a contribution for the 11-16 school sector of £74,722.39.

This contribution would be used to accommodate the capacity issues created by the proposed development by improving, remodelling or enhancing existing facilities at John Ferneley High School and Long Field School.

The total Requirement is therefore £147,316.45 and the applicant has agreed to this request.

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

- Old Dalby has minimal houses, no need for extra houses.
- The site is not being allocated in the emerging Local Plan (it would be considered windfall).
- Queensway is an anomaly however being between two recognised villages.
- Worried about noise and with expert saying there is a noise impact and relying on 'the benefit of the doubt',
- Culmination of dwellings with lack of services – constrain them too much.
- Urban conurbation is referred to in the application documents – this is an attempt to mislead or laying the grounds for appeal. There are other inconsistencies within reports.

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

- the application supported by all of the necessary technical reports
- Housebuilder will invest sums to improve the sit; it is current derelict and brownfield
- Has a history of residential use including the farmhouses
- Residential is adjacent and permission exits for more
- The site can be mitigate to be compatible with adjacent uses, subject to mitigation
- The Council's own advisors advise approval is suitable
- A sustainable site that will add to 5 year land supply

Cllr Simpson asked for clarification as to how noise can be mitigated.

Mr Grace replied that technical assessments have addressed it and at a practical level noise is limited – all that could be heard today was birds and shooting.

Concerns were expressed over noise issues and making sure that industry is not impeded

The Head of regulatory Services advised that this was seeking to be addressed noise issues through condition

Cllrs enquired how essential infrastructure is able to keep pace with development, for example school expansion, are there any provisions?

The Head of Regulatory Services advised that the section 106s he referred to in introduction are calculated to pay for demands generated by the proposal.

A Councillor questioned the benefit of deferral when the noise issue can be addressed by condition.

Cllr Simpson proposed deferral of the application in order to request a further noise assessment in view of the concerns expressed regarding emissions from the adjacent industrial uses.

This was seconded by Cllr Glancy

A vote was taken:
5 in favour of deferral
5 against

The Chair used his casting vote in favour of deferral.

DETERMINATION: DEFER, to request a comprehensive noise assessment addressing the noise environment to which the site is exposed.

Cllr Chandler left the meeting room at this point.

- (3) **Reference:** 16/00692/FUL
 Applicant: Mr Peter Chandler
 Location: Manor Farm, 32 Main Street, Muston
 Proposal: Conversion of barns to form four dwellings

(a) The Planning Officer stated that:

Farm building development converted into four detached dwellings. Key things are status of Muston is that it is not suitable for residential development but in favour of development they are of heritage merit, conversion includes brownfield land.

Housing mix – smaller two 2 bedroom ,one 3 and one four bedroom. Help to meet local need. Finally, as report says GPDO does allow conversion of farm buildings and would apply to part of this site.

(b) Mike Sibthorp, agent for the applicant, was invited to speak and stated that:

- He agreed with the report and its recommendation
- The application is a proportionate and appropriate conversion
- Will retain character buildings in the village

Members observed that the application is a matter of matter of balance- it falls in favour of the application; proposed permit in accordance with the recommendation. Keen to see the retention of heritage and suitable house types

Cllr Cumbers moved to grant permission in accordance with the recommendation.

Cllr Wyatt seconded, agreeing with the proposal

Cllrs observed that it was positive to see smaller units and allow opportunity for people to move into Muston and to see improvements to access

A vote was taken, which was unanimous in favour of the proposal

DETERMINATION: PERMIT, subject to the conditions set out in the report and for the following reasons:

The application seeks to convert 4 barns into 4 dwelling units. The buildings may fall in to disrepair in the future, resulting in the loss of a heritage asset of some significance to the village, therefore their conversion is supported on this basis. The group of buildings are traditional in design and architectural detailing and would provide smaller sized dwellings that the borough is deficient in. As a result it is considered that the proposal is in keeping with the character and appearance of the area and does not significantly harm the residential amenities of existing neighbouring properties.

The conversion of the buildings, whilst not desirable in terms of sustainability can be positively balanced in terms of the retention of the heritage assets and the relationship to existing dwellings to not be considered as an isolated development. As such it complies with the above policies and guidance and the core principles identified in the NPPF. Following the requirements of para 14 of the NPPF it is considered that the benefits outweigh the harm arising.

Cllr Chandler re-joined the meeting at this point.

(4) Reference: 16/00101/FUL

Applicant: Mr A Smales
Location: Fields OS0003 and OS8800, Pickwell Road, Somerby
Proposal: Relocation of existing equine training business to Somerby, including new stable barn, all weather exercise area and horse walker, associated new dwelling, new access road and improved existing access gateway

(a) The Regulatory Services Manager stated that:

This is for countryside area between Pickwell and Somerby for wholesale resiting from Rutland to this site of business. Not a new venture, existing venture to this location. Application comprises an improved access, barn and outdoor school area and a proposed new dwelling. Tests have been applied and deemed acceptable for need of dwelling being an existing enterprise. To consider that is this compatible with landscape on a slope between two villages, set away from road so less visible and would have some impact. Compatible with the countryside location. Stone and tile new dwelling that fits in with local vernacular. Provides 2.5 jobs and spin off that jobs provided.

(b) David Manning, agent for the applicant, was invited to speak and stated that:

- Please to note approval is recommended
- The application is for a successful business relocating to its own premises, which will allow it to grow and increase viability
- It is a training yard and offers training to staff
- The site is close to but below the top of the hill and this is common (many examples of similar arrangements provided). This is copied rather than trying to hide the buildings
- It will only be 3m higher than the hedging
- It is designed to mimic agricultural buildings but will be lower in height. The house is from typical local materials
- The use will allow the ecology of the grass land to remain.
- The applicant wishes to retain and enhance trees and hedges and invited conditions to this effect.

Cllr Illingworth sought clarification of employment opportunities. Mr Manning explained that existing employees will come with the business and new apprentices will be recruited once they move on to more responsible roles.

c) Cllr Higgins (Ward Cllr) addressed the Committee and stated:

- Welcomes new business within his Ward, bring in more younger people
- Some residents concerned regarding impact on the landscape and its sensitivity, as cited in the Fringe sensitivity study
- Sought delegation in conjunction with the ward Cllr to develop conditions to require a 'tie' to the dwelling

Mr Hamilton, an objector, requested to address the Committee. The Chair advised that he had no record of him registering to speak and officers present also confirmed that they had no record or recollection of him doing so.

The Chair therefore asked Mr Hamilton to delay his address whilst he sought the necessary authority to allow him to speak. A vote was taken and it was agreed unanimously that standing orders would be suspended in order to allow Mr Hamilton to address the Committee.

Mr Hamilton stated:

- He did not consider the officer's view is balanced – it is currently unspoilt land
- The land is identified as sensitive in MBC's own fringe sensitivity study
- Also parkland area that the study should be protected
- Every criteria advises that the area is very sensitive to development and should be left unspoilt
- Its employment contribution would be very small
- The site will erode the gap between Somerby and Pickwell
- The plans make provision for 20 car parking spaces
- No services to the site
- Impact on dark skies
- No public support for this application

Cllr Holmes sought clarification of equestrian establishments present in the area. Mr Hamilton advised three.

Cllr Wyatt sought clarification regarding of parking spaces (only 10 shown) Mr Hamilton responded that whilst 10 are shown, but there is space for expansion to 20 if the need arises.

As Mr Hamilton had spoken as a departure from the sequence set out in the procedure for speakers the agent, Mr Manning, was allowed a short response to the objector's comments.

The Regulatory Services Manager commented on the representations made as follows:

- An occupancy condition is included at condition no 2
- Landscaping is covered condition 10
- Lighting – none is proposed, but condition 8 applies controls
- The site is in northern part of the 'fringe sensitivity study'. The study is Local Plan evidence but it was commissioned to aid major decisions to define the strategic allocation of sites and major schemes in the area. It was not intended for individual applications of a smaller scale. There will be impacts but the development is of a nature that would be expected in the countryside.

A discussion took place regarding equestrian for the disabled that takes place in the

area. These premises have now been sold and the riding for the disabled is looking for a new base which this may fulfil.

It was suggested that the building should be constructed before the house to prevent the latter being in isolation. Members discussed the desirability of this and Cllr Cumbers was happy not to make such an imposition.

Cllr Holmes moved approval of the application, subject to the discharge of condition 10 being delegated to the Head of Regulatory Services in conjunction with the Ward Councillor.

Cllr Cumbers seconded

A vote was taken which was unanimous in favour of the application

DETERMINATION: PERMIT, subject to the conditions as set out in the report and that the discharge of condition 10 (landscaping) being delegate to the Head of Regulatory Services in consultation with the Ward Councillor, for the following reasons:

The application proposes the relocation of an existing equine training business to Somerby including new stable barn, all weather exercise area and horse walker, associated new dwelling, new access road and improved existing access gateway. The details have been considered by the Local Highway Authority who have confirmed that there would not be a detrimental impact from this proposal.

It is considered that whilst the site is located within an open rural location that the proposal has been designed to harmonise well amongst its surroundings with the use of appropriate materials found within neighbouring villages and additional landscaping and screening would be provided on the site.

It is considered that the design, size and location of the proposal is acceptable for the location where it is common to find equestrian businesses and other examples can be found locally. The location of the proposal is suitable to ensure that there is no significant impact upon any residential dwellings near to the location.

As such, the proposal is considered to meet the objectives of policies OS2 and BE1 of the Melton Local Plan, and the relevant sections of the NPPF.

At 7.55pm the Chair proposed that there should be a 5 minutes break, which was unanimously supported.

Applicant: Gile Developments Ltd – Mr Clive Giles
Location: Land to South of 1 Tilton Road, Tilton Road,
Twyford
Proposal: Proposed 8 No dwellings

a) The Planning Officer stated that:

The application is for full planning permission for 8 dwellings on land to the south of 1 Tilton Road in Twyford.

Additional conditions are proposed to the scheme if approval is granted. These are:-

- The removal of permitted development rights is to be included on the application so that we can determine any subsequent changes to the physical development of the properties once built.
- The side bedroom window on plot B will also be asked to be obscure glazed
- The request for levels plan to ensure that they are not built up unnecessarily to ensure that sufficient amenity is maintained to the adjoining neighbour

At the time of the site visit, further inquiries were made into distances to boundaries of neighbouring properties. These will be 25.2m rear window to number 1 Tilton Road, 9m to the boundary and 27m to rear windows of 20 King Street and 17.2m to 22 King Street. The important thing to note however is the only principle window facing this neighbour on this side will be an obscurely glazed secondary bedroom window.

The application consists of four 2 bedroom properties and two three bedroom properties to the northern part and two 4 bedroom properties to the south. It is proposed on open space under the old Melton Local Plan 1999 but we have seen that this policy is unable to carry weight due to its age and more up to date policies being relevant. This has been reinforced in previous application decisions. Subsequently an application for 8 dwellings is viewed favourably in what has also seen to be a sustainable village. Moreover, the large expanse of land that this development covers means that the proposal for multiple dwellings would be better than a few. As the proposal seeks approval for four 2 bedroom dwellings this is in conformity with the housing needs study and the other properties with more bedrooms both adds to the housing mix and also is in conformity with the housing needs of the village. It has been carefully checked to ensure that the proposal does not cause a detriment to the neighbours of adjoining properties, giving them acceptable distances between windows and flank walls and has the land level differences between site and adjoining neighbours.

(a) Anette Tudor-Brown, an objector, was invited to speak and stated that:

- The proposal is too large for the site and had reservations about the impacts upon adjoining neighbours.

(b) Mr Wiggins, agent for the applicant, was invited to speak and stated that:

- The proposal is on open land that does not have the policy status it did

previously and now proposed 8 dwellings, six which will be modest sized properties that accord with the housing needs of the village and locally. Leicestershire County Council are happy with the access to the site.

Cllr Higgins, Ward Councillor, addressed the Committee and stated:

- Expressed concern about proximity of new dwellings to neighbours
- There is a need for affordable housing which the developers had ignored by promising and then withdrawing offer
- This is speculative development which would result in significant harm
- Should refuse due to housing mix
- Noted need for broadband connection

Cllr Cumbers proposed to defer in order to invite amended plans with a revised mix of housing

This was seconded by Cllr Baguley

A vote was taken:

8 in favour of deferral

1 against

1 abstention

DETERMINATION: Defer to consider:

- Highway impact
- Impact on 22 Tilton Road
- Landscaping
- Affordable housing/starter home provision
- In conjunction with ward councillor

(6)	Reference:	16/00334/FUL & 16/00335/LBC
	Applicant:	Mr M Mitchell
	Location:	The Peacock Inn, 22 Main Street, Redmile
	Proposal:	Change of use and alterations (including demolition of rear extensions) of public house/restaurant to form 4 dwellings and erection of 2 dwellings

(a) The Conservation Planning Officer stated that:

He had visited the site several times in the summer of 2016 in response to members of the community who were concerned with the heritage asset at risk to the elements and lack of security. The Conservation Planning Officer was informed that the property was to be sold at auction which it duly was in August 2016 with the intention of restoring the heritage asset. He then stated that he believed the conservation deficit to be very high due to level of damp in the building, damaged roof timbers, spalled stonework and rotten windows. Therefore he stated that new development

within the site would be necessary as profit to meet the conservation deficit and advised that a suitable scheme had been worked up with the applicant's architect to provide a contemporary pair of residential dwellings that would not undermine the heritage asset in the use of matching materials, and would instead provide a clear distinction between the two separate elements and provide a clear demonstration of an evolving architectural narrative. The Conservation Officer finally advised that the removal of the modern, unsympathetic 20th accretions would result in a considerable gain to the setting of the heritage asset and allow for a better reading of the building.

(b) Tom Parry, the chairman on behalf of Barkestone, Plungar and Redmile Parish Council, was invited to speak and stated that:

- Recognise it is unlikely to resume as a pub, and another similar facility exists. Conversion to residential seems sensible
- Too many houses and inadequate parking
- Too many houses is overdevelopment – contrary to Policy OS1
- Redmile is unsustainable and the new plan would limit the number to 3
- Parking is inadequate and will add to parking problems
- New houses too close to the canal
- Buff brick is unsuitable and more in common with the Fens or Cambridgeshire

(c) Mike Sibthorp, agent for the applicant, was invited to speak and stated that:

- The pub has been closed for 4 yrs with no prospect of reopening. There is another pub and Redmile cannot sustain 2
- Listed buildings contribute to the village and Conservation Area, it is desirable that they come back into use
- They have been extensively extended and the development would alleviate this. The building naturally lends itself to subdivision into 4 units from its internal layout.
- There have been detailed discussions regarding conversion and design
- New dwellings are in a restrained contemporary form that will be respectful
- Parking can be accommodated without affecting setting or the wider CA
- Character of LB will be enhanced
- Few representations have been received.

Cllrs discussed the importance of the site and remarked that restoration was welcome. Parking is difficult in the village due to absence of off street parking. There is little space for more parking on the site because some of the grounds have been developed. Understand new development is needed but this design lacks space, inadequate gardens and too close to the canal. A single building to the rear was suggested..

Cllr Baguley moved deferral of the application to seek amendments. The site is located prominently especially on an approach from the north over the canal

Cllr Holmes seconded and enquired whether the house would suffer from odour from the canal, which is stagnant. She asked if zinc roof is appropriate and compatible

The Conservation Planning Officer advised he had visited the site many times. Design was considered appropriate as it would open up historic fabric and the approach of a pastiche is inappropriate upon this location in order to prevent competing with Listed Building.

Members observed that the site is cramped and it may look incongruous. Hopes a good solution can be devised. Restoration will be expensive and new build inevitable, but it has to be correct. Concerned about car parking and impact on Main St and would like to see more space provided

It was suggested that 2 semi detached house adjacent to the canal may be better.

A vote was taken:

for deferral: 8; against 2

DETERMINATION: DEFERRED to seek redesign of the site with fewer number, a single building adjacent to the canal and more parking provision. Also to consider if the dwellings can be relocated further from the canal, and a traditional approach to the design.

At 8.55pm the Chair noted that the committee had been sitting for almost three hours and sought consent to continue. Members voted unanimously to continue and complete the agenda.

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- (7) **Reference: 16/00538/FUL**
Applicant: Neil and Craig Birch
Location: Greengates Farm, 23 Main Road, Sproxton
Proposal: Demolition of redundant farm buildings and construction of 3 linked 2 bedroom dwellings off new access from Stonesby Road, Sproxton

(a) The Conservation Planning Officer stated that:

The application was to be considered in alignment with application 16/00537/LBC & 16/00536/FUL which includes the removal of unsightly pole barns and the restoration of historic and heritage worthy agricultural outbuildings. Therefore the provision of three new dwellings is to be considered as a form of enabling development which will remove unsightly accretions and open up views to the

countryside from the conservation area. The buildings are to be constructed in ironstone which is an appropriate material to the village.

(b) Craig Birch, the applicant, was invited to speak and stated that:

- The stackyard has always been used for farming but their size is now unsuitable
- Sympathetic development is desirable
- the proposed new dwellings would blend in through use of material
- Demolition of unsightly modern buildings
- Dwellings meet existing need and opportunities for young people and enhance its viability
- Would provide construction jobs for local people and contribute to the local economy
- The proposal would benefit the area: street scene, Conservation Area and Listed buildings – all in accordance with NPPF and Local plan objectives.
- Highways are satisfied with the proposal.

Cllr Holmes expressed her support for the application **and proposed to permit.**
Cllr Wyatt seconded.

Cllr Cumbers asked whether Permitted Development (PD) rights to maintain smaller scale could be added. This was agreed by the proposer and seconder.

A vote was taken which was unanimous in favour of proposal with additional condition removing PD.

DETERMINATION: PERMIT, subject to the conditions as set out in the report and an additional condition removing permitted development rights, for the following reasons:

The application is considered in alignment with ref: 16/00537/LBC & 16/00536/FUL for the removal of unsightly modern outbuildings and conversion to residential use of existing curtilage listed outbuildings. As such in consideration of the two schemes, the proposal will improve the character of the Conservation Area and the setting of the Listed Building.

The new dwellings will be designed in ironstone which corresponds with the surrounding vernacular materials and an imitation timber effect window frame is proposed to the fenestration arrangement. The Borough is considered to have an adequate housing land supply. Whilst the site would add to this a maximum of 3 new dwellings, the contribution it would make is limited. It is considered that due to the limited need for further supply and the contribution the development would make, the weight attached to provision is limited, however the benefit to the character of the Conservation Area with the removal of unsightly modern outbuildings and the quality of the new design is considered to outweigh the harm of new dwellings in a rural location and supports the recommendations of the NPPF to presume in favour of

sustainable development. Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that on the balance of the issues, permission should be permitted.

- (8) **Reference:** 16/00901/NONMAT
 Applicant: Mr R Whiting
 Location: Eastcote, 91 Grantham Road, Bottesford
 Proposal: Alteration to dormers and insertion of lantern skylights and roof light to rear on plot 1 and roof light, lantern lights and dormer alterations on plot 2 (Proposed as Non-material amendment of 15/00604/REM)

(a) The Planning Officer stated that:

The development is a Non-material amendment to the originally approved scheme reference 15/00604/REM for two dwellings. Part-retrospectively the application is for changes on plot 1 including:-

- Changes in the dormer design
- Insertion of lantern skylights
- Roof light insertion

No further changes have been made since the report has been published.

Frustration was expressed regarding further amendments to the proposal. Amendments, however **Cllr Wyatt proposed approval as a Non Material Variation of the permission**

Cllr Chandler shared the frustrations but **seconded the proposal**

Other Councillors expressed their dissatisfaction with the number of changes being made to the proposal and the track record of the developer in terms of breaches of conditions, but recognised that this could not influence the consideration of the current application.

A vote was taken which was unanimous.

DETERMINATION: PERMIT, for the following reasons:

The fenestration changes to the design of plot one are considered to be suitable for a non-material application and accordingly should be approved. This is because these changes are minimal in scale and are barely discernible from public viewpoints . They only comprise minor amendments to approved dormers and rooflights and the addition of a new rooflight in the rear plane of the roof. There will be no significant impact on the overall design of the

dwelling and its general appearance in the street.

PL57. URGENT BUSINESS

The Chair described a letter received regarding 16/00563/OUT Pickwell concerned with misleading statements that were made to the committee and seeking a right of appeal. This was handed to the Head of Regulatory Services for reply.

The meeting commenced at 6.00 pm and closed at 9.10 pm