



MEETING OF THE
PLANNING COMMITTEE

Civic Suite, Parkside

24 July 2014

PRESENT:

PM Chandler (Chair), P Baguley,
G Botterill, G Bush, P Cumbers, E Holmes,
J Illingworth, MR Sheldon

As Substitute

Cllr J Douglas for Cllr J Simpson (Vice Chair)

Solicitor to the Council (VW), Regulatory Services Manager (PR), Applications and Advice Manager (JW), Planning Officer (DK), Administrative Assistants (SC and AS)

D22. APOLOGIES FOR ABSENCE

Apologies were received from Cllr J Simpson (Vice Chair) and Cllr A Freer-Jones

D23. DECLARATIONS OF INTEREST

14/00150/OUT - Cllr Sheldon notified the members that he is also the Chairman of Asfordby parish council

D24. SCHEDULE OF APPLICATIONS

14/00150/OUT - The chair notified the members that 3 objectors wished to speak, which would mean that members would have to suspend standing orders. Cllr E Holmes proposed to allow the request and this was seconded by another member. A vote was taken and the members voted unanimously in favour of the proposal.

- (1) **Reference:** 14/00150/OUT
Applicant: Mr D Keightley

Location: Field Number 00032 Melton Road, Asfordby Hill

Proposal: Erection of 28 residential properties with associated parking facilities and new vehicular access of Melton Road

(a) The Planning Officer stated that:

There are no updates to the report.

This is an application for outline planning permission, with detailed approval sought for access, layout and scale only for the construction of 28 dwellings including 11 AH, on paddock land on the northern side of Melton Road, to the west of the village of Asfordby Hill. The site lies outside the designated village envelope, therefore sited within open countryside and sits behind the dwellings fronting Melton Road.

The main issues relating to this application is considered to be the

- impact upon the open countryside,
- encroachment of the area of separation from Asfordby Valley,
- Impact upon highway safety.

A single point of access from Melton Road will be created giving access to the development that is to be sited around a cul-de-sac arrangement presenting a mix of two, three bed 2 storey dwellings and bungalows of which 11 would be AH. The existing central refuge and 30 mph zone is to be re-located further to the west of the village.

Whilst the Highways Authority have no objection to the proposed access in this location, concerns have been raised by members of the public in regards to the access being in close proximity to the brow of the hill. Following the members site visit further clarification, in respect of the visibility splays has been sought and the Highways Authority has confirmed that the visibility splays exceed the guidance in Manual for Streets 2 when taking into account the topography and speed of traffic in this location.

The visibility to the east can be maintained at 66 metres (MfS 56m) whereas the visibility splay to the west can be maintained at 70 metres (MfS 66m). The Highways Authority therefore do not object to the proposal as Highway Safety will not be compromised. The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

The Borough is deficient in terms of housing land supply more generally and this would be partly addressed by the application, in a location that is considered to be sustainable in terms of access to services and facilities and with good transport links. Affordable housing provision remains one of the Council's key priorities. This application presents affordable housing that helps to meet identified local needs. Accordingly, the application presents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the local market housing needs. Asfordby Hill is considered to be a sustainable location and adequate access and parking provisions can be provided and maintained to the satisfaction of the Highways Authority. It is considered that

these facts are a material consideration of significant weight in favour of the application.

it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a greenfield site outside of the village envelope – is considered to be of limited harm in this location due to the unique characteristic of the site and potential for sympathetic design and careful landscaping.

Accordingly the application is recommended for approval as outlined within the committee report.

The Applications and Advice Manager advised of 2 amendments to the report as follows:-

- page 8 should read the proposed development on Melton Road not Nottingham Road
- Page 9 was missing the 'e' off the end of village envelope

The chair advised Members that Mr Edgington would be speaking on behalf of the Parish Council but is not an elected member. However Mr Edgington has the authority of the Chairman of the Parish Council to represent them on this occasion.

(b) Mr C Edgington, on behalf of the Parish Council, was invited to speak and stated that: At a Parish Council meeting held on 17.04.2014 the details of the planning application were considered. A decision was taken to unanimously object to the proposed development. The grounds for this were:-

- Outside of village envelope, contrary to the Parish planning policy. This includes maintaining open space and greenbelt countryside between the 3 existing and separate communities of Asfordby, Asfordby Hill and Asfordby Valley which form part of the Parish of Asfordby. Allowing this proposal would set an undesirable precedent for similar future proposals. There remains within the village envelope areas of land that can be developed in order to meet future housing needs.
- The main access on to the site would create a serious new hazard to road safety in that the view to the left when vehicles are turning right is severely restricted. It is the Parish Councils view that this problem would be virtually impossible to remedy.
- Drainage of surface rainwater from the site would increase the flooding to land areas below the development area. Existing land drainage plans show the lower area to be wet land. Additionally historical records of past rainfall and flooding cannot be relied upon to accurately predict future flooding as recent incidents in the country have justified.
- NPPF – one of the core planning principals set out in paragraph 17 is that planning should generally be plan led, empowering local people to

shape their surroundings, setting out a positive vision for the future of the area and providing a practical framework for decisions to be made on planning permissions with a high degree of predictability and efficiency. The Asfordby neighbourhood plan is empowering local people to shape their surroundings with a positive vision for the future of the area. The local community and parish council have been actively involved in the consultation process. To grant planning permission at this time would pre-empt a decision that should be made through the development plan process. It would render futile the work done by Asfordby Parish Council and the contributions made by the local community, therefore reducing public confidence in the planning process and contrary to the spirit of paragraphs 12 and 17 of the framework. The application site is now a subject of consultation along with other housing options within the local community. Local residents are now being asked their views on their preferred housing sites.

(c) Mr D Berry, on behalf of the Objectors, was invited to speak and stated that:

- He and his young family are residents of Asfordby Hill and their property is adjacent to the proposed site.
- Representing at least 30 objectors.
- As there is no local plan the NPPF is relevant and must be taken in to account. Quote from section 9 regarding Green Belts. Planning practice guidance issued by the government in March of this year makes it clear that unmet housing need is unlikely to outweigh the harm to the greenbelt and other harm to constitute the very special circumstances justifying inappropriate development on a site within the greenbelt.
- Residential Amenity - The houses adjacent to the proposed site are higher in elevation and look over it. The new houses will have permanent unrestricted views in to the windows of these properties. There will be no privacy.
- Recreational Amenity – A6606 currently has 20,000 traffic movements per day. The properties along this road use their rear gardens for privacy and sanctuary from this noise and that of the railway. Adding more properties will exacerbate this. The rear gardens slope downwards towards the proposed site and will be overlooked no matter what architectural designs are put in place. Again there will be no privacy.
- The proposed entrance to this site is at a point in the road where the camber is wrong and widening of the road has already taken place in an attempt to solve this. HGVs currently find negotiating this point tricky. Moving the island further down the hill would compound this as the HGV drivers will be required to shift down while on a gradient. There have been 3 fatalities on the outskirts of Asfordby Hill in the last 6 years. According to the department for transport each road fatality costs £1.9million.
- Approving this application would set a precedent for further

development. This would result in Asfordby Hill and Asfordby Valley merging which is in direct contradiction to the NPPF. It states clearly that greenbelt sites should not be built on to if the result would be the merging of communities.

- Asfordby Hill Primary School is currently oversubscribed with 5 year 2 Reception children having to be integrated in to year 1 Reception this year.
- The zebra crossing at the school is dangerous with a number of incidents of aggressive drivers. Our Lollipop lady resigned because of this.
- If new residents need schooling further afield will they be expected to drive, walk or will the council pay for school buses?
- Current facilities in the village are inappropriate for the population. The play facilities opposite the primary school are in urgent need of updating and there is no allowance in the council budget for this.
- Housing and Infrastructure puts a strain on the natural soak away. We have had 2 automated calls from the environment agency in the last 3 years warning us that the river Wreake is in imminent danger of flooding. This contradicts the flooding report in the application.
- There is substantial wildlife which will be affected with a loss of bat population.
- If approved it goes against government guidance regarding the protection of greenbelt land and will be turning our rural village into an urban environment.

The chair clarified that there is no Green Belt in the Melton Borough. There is protected open space.

Cllr Sheldon asked for clarification regarding the flooding that had been mentioned. Mr Berry confirmed that he is at the top of hill so would be unaffected but people at bottom of hill would not be protected.

(d) Mrs C Williams, on behalf of the Objectors, was invited to speak and stated that: Since I was born I've lived in Asfordby parish and I have never objected to any planning before. I object on the grounds of flooding and building on open green land that separates the villages.

- Asfordby Valley is an area prone to flooding. But due to the flood alleviation scheme, the houses haven't flooded again yet. However the main road and the playing field do. The properties that lie at the lowest point of the flood risk zone will, with any slight change of the water table, flood. Due to the unpredictability of the changing weather climate and flash flooding, the present surface water cannot be drained away fast enough. Therefore any increased run off heading down the valley from building more houses in the suggested location, will no doubt cause significant concern and distress to valley residents due to the volume of

water arriving at speed and welling down into the valley. We believe that the properties in Asfordby Valley will flood in the future due to developments on green open space. It is paramount that green areas and flood plains remain undeveloped in order to keep the villages separate. The aim of green open spaces is to prevent urban sprawl and safeguard the countryside. The council should be conserving and enhancing the natural environment and encourage the effective use of land by reusing land that has been previously developed, brownfield land.

(e) Mr J Bullimore, on behalf of the Objectors, was invited to speak and stated that:

- The proposed development is too close to a railway embankment
- Unsuitable and unsafe access to a busy traffic area.
- Allowing this proposal would be setting a precedent for future applications for the rest of this field.
- It would make the valley play area grass more difficult to cut.
- Already overloaded sewerage system.
- There is an inadequate water surface system.
- It is no longer an area mainly populated by older people and is also occupied by young families enjoying semi-rural living.
- Save infant school pupils from a 1 and half mile walk to school. School is close to capacity.
- The Parish wants to maintain the Village, Valley and Hill's own individuality by leaving the green space between them.
- Asfordby would be spoilt.
- It would open the door to future developers.
- Rural communities are important to give our children a cleaner, wider aspect on life. One that they deserve.
- The Hill will be slowly destroyed.

(f) Mr J Botterill, Agent for the Applicant, was invited to speak and stated that:

Could he have more minutes to speak, as fairness, as 3 objectors had been allowed to speak. Cllr Sheldon Proposed to allow and Cllr Bush seconded the proposal. Members voted unanimously to allow extra minutes.

- Melton Borough Council are not currently meeting NPPF land supply requirements. Availability is significantly below 5 years.
- The current local plan and therefore its boundaries are considered out of date.
- Planning permission should be granted unless the impact of the proposed development significantly and demonstratively outweigh the benefits.
- In order for Melton Borough Council to meet the NPPF requirements, village settlement boundaries around the borough will have to be reconsidered.

- Is the impact of the proposal significant enough to outweigh the benefits of 28 new homes and more importantly 11 affordable units.
- The proposed housing mix has been supported by your housing officer and is in line with your policy requirements. 3 of the properties would be single storey dwellings suitable for the elderly.
- The impact of the development has been considered from the outset and it was a conscious decision not to encroach the development too far beyond the existing building line of the last property along Melton Road (number 39).
- This in effect contains the new dwellings within the wedge section of site between the railway line and the rear gardens of those properties along Melton Road. Therefore does not encroach significantly into the open countryside.
- In effect squares off existing village boundary, thus maintaining the intrinsic character of the area and the open countryside.
- The existing length of the separation land between properties at present is 400 metres. Following our development it would be 390 metres. It is only a 2.5% encroachment which will have minimal impact on the separation land.
- The general layout of the scheme has been designed to reflect the architectural form of the settlement edge of Asfordby Valley, with a strong building line of terrace properties. We feel this will create a strong visual identity to the village when approaching from the west. Although the individual design of the houses is to be dealt with under reserved matters, we have considered that the built form will enable a later design to reflect a more traditional Victorian language to complement the older dwellings in the village.
- In terms of technical requirements there have been no objections from any of the mandatory consultees. Highways are happy with the proposed access arrangements subject to conditions. As to are environmental health, Severn Trent Water and Leicestershire County Council Ecology department.

(g) Cllr T Moncrieff, Ward Councillor for the area, was invited to speak and stated that:

- We need houses but not just anywhere. The parish council have already identified this particular sites shortcomings.
- The public in their numbers are telling us they don't want it.
- The most important reason why we must not approve this application is on the grounds of road safety. During the site visit, a huge lorry sped past us down the hill demonstrating the absolute danger there will be from this proposed access to this site. That proposed junction is far too close to brow of hill. It will not be visible to most drivers until a point at which it would be very difficult if not impossible to avoid a collision if a vehicle is pulling out to turn right.

- Accident risk on its own is grounds for approval.

The Chair asked if there had been a sequential test on this application. The planning officer (DK) stated, no as it was not development of a large enough size to warrant a sequential approach. It's not retail and it's not in a flood zone that requires you to look at other land in the area.

The Chair asked if there were any further points.

The planning officer (DK) stated that:

- A couple of speakers have mentioned the drainage issues. The site of the proposed development is not in a known flood zone and under the flood and surface water management act 2010, there is a requirement that all the drainage of the land cannot exceed the green field run off rate of that site. It can't be any worse than it already is. It can't rectify an already existing problem but it can't make it any worse. The Environment agency haven't objected subject to a sustainable urban drainage system.
- There is no Green Belt.
- The area of separation is not a policy designation. It is an area protected to stop the coalescence of the settlement. However the development isn't encroaching on the built form of the village therefore the area of separation will still exist.
- On the subject of precedence. Each application is considered on its own merits.
- The access and highways has been looked at again by the highways authority. They are happy that the visibility space can be maintained.

Cllr Botterill asked for clarification regarding the flooding not being made worse.

The Chair replied that there is going to be an attenuation pond just lower than the development which is going to hold the water. There is a problem that is acknowledged at the bottom in valley. The idea is that this will hold the water up.

Cllr Botterill asked if it would be big enough.

The Advice and Applications Manager (JW) responded that applications are required to introduce a sustainable urban drainage system. They have to ensure the run off isn't any greater than the green field site. That is a condition we put on an approval with the assistance of the environment agency to ensure we are not adding to the surface water problem.

Cllr Botterill had concerns about the effects of climate change on the drainage system.

The Advice and Applications Manager responded this is why on every development they have to have this system in place. They can't connect to existing drains as they have to hold the water within the development site so it doesn't increase surface run off.

Cllr Sheldon wished to raise further points regarding flooding. He stated that:

- Asfordby valley has flooded 3 times and that he has seen firemen up to their waist in water. The catchment area is not just this area but goes as far back as Ab Kettleby. We currently have a balancing pond on the other development across the road that appears not to be working anymore. Whenever we have rain, the water seeps over the road and in to field. This makes the playground inaccessible. Before it floods, it causes down stairs toilets to block up and come back. This has happened on several occasions. Since we had the flood alleviation scheme put in, it was designed before the extra houses were put on Horton Close and also before this application. The balancing pond will probably work for first few years but once it silts up the French drains won't work. Who will be responsible for cleaning and maintain it when it silts up? Many years ago Melton Borough Council spent ¼ million protecting houses in Asfordby. He is also concerned about climate change and flash floods.
- Concerned about traffic management. Vehicle movements are 15 - 20000 per day. Traffic is moving a lot more quickly nowadays. Lorries are maintaining their speed at 40/50 MPH to get up the hill. The chicane does not slow vehicles down. Will 30MPH speed limit be moved further down the road? It could take 6 months or longer to get approval for this alone.
- There is one system for rain water and foul water and then we're going to put another 28 houses on top of this.

The Chair asked for clarification regarding the toilets backing up and if it was before the flood alleviation scheme or since it.

Cllr Sheldon responded that it happens now. If they have heavy rain, the pipes by the brook back up. 1 or 2 toilets have flooded but it depends where you are on the level. It's frightening for young children.

The Applications and Advice Manager stated that: to assist with the drainage concerns, condition 7, on page 18 of the report is a condition requested by the Environment Agency with regards to this issue. It states that we are required to approve a surface water drainage scheme which doesn't just include a balancing pond. There are other mechanisms to reduce water surface run off rates which all forms part of a sustainable urban drainage system. The condition also includes a clause about the future responsibility of the drainage systems. Because of concerns regarding climate change and drainage, new developments cannot add to surface run off. That is the restriction imposed by that condition. The Environment Agency are satisfied that this will not exacerbate the existing issues.

Cllr Sheldon responded that he agreed but that a balancing pond that was on another development that has been there for about 8-9 years doesn't work anymore. That's why water from that site is seeping across the road. The report doesn't say who maintains the pond. When Asfordby flooded last time nobody would take ownership so the Parish council had to pay £5000 to get it cleared.

The Chair stated that we have to be careful about making allegations without proof regarding the water at the bottom of the road.

The Applications and Advice Manager confirmed that we can put a legal agreement in place as to who maintains the balancing pond in the future.

Cllr Holmes stated that there were 3 people at the committee meeting who had witnessed the flooding in 1997 in Asfordby, which was appalling. She is aware that there has been a flood alleviation scheme since then. Across the road are water meadows and it is good grazing land. Because it is silty soil that is why it gets silted up. There used to be river men but as we don't have them anymore the Wreake never gets cleaned out. We need to take heed of water coming down a hill. Concrete and tarmac aren't good sponges. Even with alleviation schemes we are still going to get flooding. Cllr Homes also stated she had a car accident in Asfordby a long time ago and now the traffic is worse. **Cllr Holmes proposed to refuse the application** on the grounds of, the safety of the road including pedestrians and highway users, the proposed development is outside the village envelope OS2 and impact on the countryside, road danger regarding access and flooding, policy H10, risk of flooding to road and houses and no open space provision.

Cllr Bush seconded the proposal. He added that he had witnessed traffic concerns himself.

The Chair advised that this was a concern during the site visit, and that is why officers were asked to refer back to the Highways Authority and request that they review their position. Cllr Illingworth added that he had also witnessed the traffic concerns on the site visit. He believes the site is dangerous and it also outside the village envelope.

Cllr Botterill added he will support the objections.

Cllr Cumbers added that she thought there would be flooding problems if this went ahead.

The Applications and Advice Manager offered final advice before a vote was taken. We have been back to the Highways Authority and explained the concerns. The advice we received was that the design of the access and the movement of the verge and movement of the speed limit and the splays that they are providing, exceed what is required in their guidance. Based on the average speed limits along that road, they are fully compliant. I advise that you need evidence to support this reason for refusal

Also with regards to the flooding concerns, the advice we have received from the Environment Agency and the caveat of that condition that would require the site not to create any further surface water run off, means there is no evidence to support this reason for refusal.

The Regulatory Services Manager stated that in the report there are some finely balanced issues. If members decide to refuse the application, they need to think about does the harm significantly outweigh the benefits of the development? We need to have evidence to support the decisions that are made. He addressed the concerns raised regarding the views of the Highways Authority. We have received a professional highways assessment which was submitted by the applicant which has been assessed and re-assessed by the Highways Authority and it is deemed to be reasonable solution. There is no evidence to support refusal of permission.

With regards to the flooding concerns, he acknowledged that while there may be historic flooding it would be unreasonable to expect a planning application to overcome existing or previous problems. The Environment Agency have assessed the application and they do not consider that this development would make the current situation any worse. There is no contrary evidence.

He agreed that the proposed development is outside of the village envelope. However he stated that committee must define precisely what harm there would be from developing outside the village envelope. Insufficient to state that is outside the boundary.

He also confirmed that there while there would be no open outside space provided on the site, there is a play area nearby. He pointed out that on page 17 of the report that it stated in this case it would be reasonable to use funds usually used to provide open space on the site to improve the existing nearby play area. This is an acceptable approach.

The Chair confirmed the policy regarding the village envelope. She also made the committee members aware that they wouldn't get support if it goes to appeal from the Environment Agency or the Highways Authority.

Cllr Illingworth asked if the county highways had had a site inspection.

The Planning and Advice Manager confirmed that they had.

Cllr Sheldon agreed with The Regulatory Services Manager however he still had concerns regarding flooding and the balancing pond.

Cllr Cumbers had concerns regarding policy H10 which says an amenity area should be there.

The Chair stated that this was a good point and it's not safe for children to walk at the side of a busy road to get the play area.

For clarification the Applications and Advice Manager advised that in the original application the developers did offer an open area on the site, however the Planning officers suggested the off-site alternative..

Emphasised that we also need to be clear on what harm it causes to encroach outside the village envelope boundary in this particular instance. Cllr Illingworth

stated that the policy is specific. Why do we have to justify something that is stated in the policy.

The Chair agreed that it is currently a policy. While there will be discussions regarding retaining village envelopes through the new Local Plan; at present this is the policy.

Cllr Illingworth added that the policy may change in the future but we have to go by the policy we have in place now.

The Applications and Advice Manger confirmed that she wasn't asking the Members to justify the policy. However we have to justify the specific reasons for applying this policy in this instance.

The Chair said she felt the speakers had put this point over when they suggested that there were other sites within the envelope.

Cllr Holmes stated that it's an unsuitable site whether it's in the village or out of the village.

The Planning and Advice Manager asked the members to confirm if they think the harm is greater than the benefits.

The Applications and Advice Manager reconfirmed the grounds for refusal as:

- It would be outside the village envelope which is contrary to the OS2. The harm is greater than the benefits of the scheme.
- No open space
- Highway safety (The access on to the Melton Road and the impact on highway and pedestrian safety. Also at times of flooding there would be an additional danger)
- The development will have an impact on surface water run off which would exacerbate an existing flooding problem.

A vote was taken and the members unanimously voted to refuse the application.

DETERMINATION:

Refused for the following reasons:

- 1. The proposed development is in the countryside outside of the village envelope of Asfordby Hill as defined by the adopted Melton Local Plan, where there is a general presumption against the erection of new dwellings. It is considered that there is no essential, justified need for new dwellings at this location as stated within policy OS2 of the Melton Local Plan. The development of the site would have an adverse impact upon the character and appearance of the countryside which contributes to setting of the village and the area of separation between Asfordby Hill**

and Asfordby Valley. The harm would significantly and demonstrably outweigh the benefits of the development.

- 2. Developments of 10 or more dwellings are required to provide 5% of gross site area as open amenity space for passive recreation. The development is contrary to Melton Local Plan policy H10 as no play space has been provided for this purpose.**
- 3. The access on to a classified road would compromise highway safety for pedestrians and vehicles travelling along Melton Road, due to the additional hazards of vehicles accessing and egressing the proposed development with associated turning manoeuvres on the brow of a hill close to traffic calming features . Due to the topography there is the added danger of surface water from the development flooding the highway in the valley creating further hazards for highway users.**
- 4. The development would exacerbate existing localised flooding at the bottom of the hill, within Asfordby Valley and would not be in the spirit of the NPPF, paragraph 14, in promoting Sustainable Development.**

Adjourned for a comfort break at 7.05pm. Reconvened at 7.15pm

(2) Reference: 14/00127/FUL
Applicant: Ms Jolli Waterland - MWS Property Group
Location: Clemrose Cottage, 1 School Lane, Scalford, LE14 4DT
Proposal: Conversion of dwelling house into 2 dwellings including rear and side extensions also demolition of existing store and garage

a) The Planning Officer stated that:

No updates to report.

This application seeks planning permission for the sub-division and extension of no. 1 School Lane to provide 2 modest three bedroom dwellings. The dwellings lie within the designated conservation area and village envelope and is situated along School Lane, which is a narrow highway. The existing cottage contains three bedrooms and sits facing School Lane with access and parking to the south.

The main issue raised through the public consultation is the impact an additional dwelling would have on highway safety being in close proximity to the primary school. The scheme has been amended in order to address previous highway concerns in relation to the parking and visibility splays and the tandem parking arrangement has been considered to be a highway gain from the existing arrangement and the Highways Authority are therefore they are not objecting to the proposal.

Following the member's site visit further clarification has been sought in relation to the front boundary treatment. The agent has confirmed that the existing stone wall is to be extended to provide a defensible private space in front of the 2nd dwelling. Condition 8 requires the boundary treatment to be restricted to the height of 600mm in order to not restrict the visibility from the site.

It is considered that the sub division of the existing cottage respects the character of the area and will not have any adverse impacts upon the existing residential amenity and satisfactory access and parking can be provided. Accordingly the application is recommended for approval as outlined within the report.

- b) Mrs Bryant, on behalf of the Parish Council, was invited to speak and stated that: The Parish Council, school governors and staff of the school object to this application on the grounds of highway safety. There is no parking on School Lane. There is already a growth in traffic on School Lane. 70 children aged 4-11 travel along this road at all hours of the day to go to various parts of the village including school, village hall and the school field. We are concerned that any increase in traffic would be a serious threat to the safety of our children.

The Chair confirmed that this was noted at the site visit.

Cllr Illingworth proposed to refuse the application adding that as there has been a change to the proposed wall since the site inspection he could not support this application, on the grounds of highway safety when vehicles are reversing into or out of the proposed parking area.

Cllr Holmes seconded the refusal stating that it's very narrow on School Lane and as the children cross the road to the village hall it is a risk. The property should be left as one house. Planners should look at Scalford as we already have many small houses. They can't sell these size properties so they are always for rent. Please let us keep some decent sized houses.

The Chair reminded the members that Cllr Holmes is the Ward Councillor for this proposal.

The Planning Officer advised that we can ask them to remove boundary walls from the plans and make this a condition.

The Chair asked if the members wished to re-consider.

Cllr Illingworth did not wish to change his view as he still felt manoeuvring into the parking spaces would be dangerous.

The Advice and Applications Manager asked for clarification regarding the grounds for refusal. From a highway safety point of view the advice we've received is that the off street parking provision meets requirements and the

visibility meets standard. There is no highways objection.

Cllr Illingworth confirmed that it is the pedestrian aspect that he is refusing on.

Cllr Cumbers agreed and added that it is too dangerous with children around and the cars manoeuvring in and out.

The Chair commented that schools don't appear to have barriers anymore.

Cllr Bush asked if it is an open road at all times.

Cllr Illingworth confirmed that it is.

Cllr Baguley added that she thought that the parking arrangements could cause neighbour issues.

The Advice and Applications Manager confirmed that the refusal would be due to additional traffic movement from the access to the property which would have a detrimental effect on pedestrian safety.

A vote was taken and the members unanimously voted to refuse the application.

DETERMINATION:

Refused for the following reason:

The proposal, if permitted, is likely to result in an increase in dangers to pedestrians from additional vehicles accessing and egressing the site on to School Lane which is narrow in design and width, having no pedestrian footpath on the eastern side of the highway. The proposal is contrary to local plan policy BE1.

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- (3) **Reference:** 14/00432/FUL
 Applicant: Mr & Mrs Lee
 Location: Byland, 10 Timber Hill, Sewstern
 Proposal: Erection of 3 bedroomed dwelling

a) The Planning Officer stated that:

This application seeks planning permission for the erection of a three bedroom dwelling on the edge of Sewstern. Planning permission has previously been granted for a dwelling of similar size, design and scale. This application proposes to introduce some minor changes and re site the dwelling to the north-west to avoid some overhead power lines.

There are no updates to report.

The dwelling would be sited predominately within the village envelope with a small part located beyond the village envelope. The site is currently used as residential curtilage and it is not considered to have a harmful impact on the open countryside. Accordingly the proposal is recommended for approval as set out in the report.

The Advice and Applications Manager advised that the village envelope line had been amended on the plans and that it was now only very slightly over the village envelope whereas it had been almost 2 metres before the amendment.

b) Mr T Glenn, Agent for the Applicant, was invited to speak and stated that this application is broadly identical to an approval given in December 2013 for this site except for the fact that the building location has moved by 2 metres. The relocation of the building is due to technical issues encountered with Western Power Distribution and has resulted in the proposal partly moving outside of the village envelope. The application site is within the residential curtilage of the existing dwelling. The perception of the village edge will remain unchanged. The proposed development still sits close to existing properties therefore it will not harm the given character of land. There will be insignificant impact on the visual as you enter the village.

The Chair stated that the Village envelope line changing may change your views.

Cllr Illingworth proposed to approve the application adding that due to the change in the village envelope line as it would only be about a bricks width over and it falls within curtilage of the existing dwelling.

Cllr Cumbers seconded the proposal adding that it had been the power company who had been unhappy with the previous application and not the committee.

Cllr Sheldon asked if there was a drainage plan in place.

The Advice and Applications Manager responded that there was.

A vote was taken and the members unanimously voted to allow the application.

DETERMINATION:

Approve, subject to the following conditions set out in the committee report.

D25. DEVELOPMENT CONTROL UPDATE - COMMITTEE UPDATE
REPORT OF THE APPLICATIONS AND ADVICE MANAGER
DEVELOPMENT CONTROL PERFORMANCE 2014/15 (QUARTER 1)

Quarter one performance levels are satisfactory. It has been noted that the type and nature of applications are changing and as such future performance will need to be closely monitored.

The Chair commented that the new Growth & Infrastructure Act would put more pressure on the Council, as we could lose planning fees if we fail to liaise with applicants regarding an extension of time should an application appear to be running out of time.

D26. URGENT BUSINESS

The Solicitor to the Council addressed the members to clarify the constitution. We should actually note the reasons for not supporting the professional officers' view. This is a requirement and a copy is to be placed on the application file.

Cllr Cumbers added that we do have respect for the officers but in the end it comes down to a balance of opinion. Their reports are fantastic.

The Chair stated that she had held discussions relating to no minutes being available this evening. She had been assured that they would be available for the next meeting.

The Regulatory Services Manager apologised for this and aims to rectify this. He also clarified that the Chief Executive expects the members to have minutes available by the time of the next meeting

The Chair stated her concerns regarding the number of applications currently being received and also the number of appeals in the system. She had however, been informed that additional admin. staff were being appointed on a temporary basis to help address the workload.

Cllr Illingworth stated that he and the other members weren't particularly concerned about this.

The meeting commenced at 6.00 pm and closed at 7.40pm