



MEETING OF THE  
PLANNING COMMITTEE

Civic Suite, Parkside

25 September 2014

PRESENT:

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

Solicitor to the Council (HG), Head of Regulatory Services (JW),  
Applications and Advice Manager (JW), Administrative Assistant (AS)

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D39. APOLOGIES FOR ABSENCE

None

Cllr Sheldon arrived during the discussion for the first application heard.

D40. DECLARATIONS OF INTEREST

None

D41. MINUTES

Minutes of the meeting 4<sup>th</sup> September 2014

Cllr Baguley asked for her comment on page 112 to be amended to read “if developers are conditioned too much they would tighten the budget and the houses wouldn’t meet the needs of the occupants”.

Cllr Cumbers noted that on page 102 the determination for application 13/00552/FUL needed to also include reference to Condition 6 being removed, as this had been discussed at the previous committee meeting, as members had felt that the wording of condition six didn’t make sense. The members voted unanimously that this amendment should be noted.

Approval of the Minutes was proposed by Cllr Baguley and seconded by Cllr Bush.

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

#### D42. SCHEDULE OF APPLICATIONS

- (1) **Reference:** 14/00591/FUL  
**Applicant:** Mr David Matthews  
**Location:** Holygate Farm, Holygate Road, Stapleford, LE14 2SG  
**Proposal:** Installation of small scale 150Kwp solar photovoltaic generator

- (a) The Applications and Advice Manager stated that: This application seeks planning permission for the installation of 600 solar photovoltaic panels at Holygate Farm. The panels are to be used to produce electricity for the grain dryers used at the farm and any surplus would be exported to the grid. There are no updates to report. There is a correction to page 8 of the report at the bottom which should read that the panels will have a maximum height of 2.2 metres. The application lies in the open countryside and due to the number of solar panels and arrays it is not considered that the proposal is small scale and in this respect is not compliant with Policy OS2. The proposal does, however, seek permission for farm diversification and is not considered due to its location and scale to have any adverse impact on the rural landscape. At the site visits the proposed hedgerow was discussed and the agent advised this was proposed as part of a biodiversity scheme for the farm. A landscape scheme has been submitted with the application but as the landscaping is not, in the views of the officers, required to mitigate the proposal it has not been considered necessary to impose any conditions in respect of the hedgerow or replacement of it should it become dead or dying. The application is recommended for approval as set out in the report.

**Cllr Bush proposed to approve** the application as he felt it was a well thought out, well planned and well presented proposal.

**Cllr Botterill seconded the proposal** as he entirely agreed with Cllr Bush. He added that it was a very suitable site and he felt we should be encouraging the utilisation of green energy as it's the future. We can't constantly rely on getting energy from other sources around the world.

The Chair commented that there had been a recent climate change conference which had said we all need to look towards green energy.

Cllr Simpson commented that it was an excellent scheme but without any conditioning would the applicants be continuing with their scheme for biodiversity around the edge of the site.

The Applications and Advice Manager responded that as part of the proposed plans there is a plan for adequate screening to be on the site so therefore wouldn't need

mitigating to make it acceptable within the landscape. As part of the plan it is not considered necessary however it is something the applicant wants to do as part of a biodiversity scheme. If Members considered landscaping necessary then she would suggest a condition requiring landscaping in accordance with the submitted details, and condition that if the hedge dies or needs replacement within a 5 year period there would be replacement planting.

Cllr Sheldon arrived at 6.08 pm

The Chair commented that there was nobody to screen it from.

Cllr Simpson commented that it could only be seen from the road but that it would be nice to see a biodiversity scheme, however she didn't imagine anyone would want to condition it but she would like to see it in place.

Cllr Botterill commented that there was an apery on the farm and thought they were going to plant various species in the hedgerow to encourage bees as they are dying out.

Cllr Illingworth commented that even if the condition is deemed as non-essential, he felt it should be put in any way to guarantee they would get what the applicants are offering as part of the plan.

The Advice and Applications Manager responded that a planning condition has to meet the tests of a condition which are, is it reasonable, necessary and enforceable. There is no need to mitigate against the visual impact of the scheme. In this case a condition isn't necessary as it doesn't meet the tests of a condition.

Cllr Illingworth commented that we would rely on the integrity of the applicant.

A vote was taken and the members voted unanimously to allow. Cllr Sheldon did not take part in the vote as he wasn't present for the report or all of the deliberations regarding this application.

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

**The application seeks approval for the erection of a total of 600 solar PV panels arranged in five 60 metre long arrays with a maximum height of 3.3 metres to the north and north west of Holygate Farm. The development is considered to have no adverse impact upon the landscape of the area or the residential amenity of the neighbouring residential dwellings. The development is not considered to be supported within the Melton Local Plan policy OS2 as it is not considered to be small in scale nor essential for the purposes of agriculture, however it is considered to meet the wider objectives of the NPPF, and the guidance published within the 'Planning Practise Guidance for Renewable and Low Carbon Energy', and the updated guidance in the NPPF National Planning Practice Guidance. Following**

**the approach set out in paragraph 215, it is considered that the latter outweighs OS2 due to its more recent date and the absence of policy addressing renewable energy in OS2.**

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- (2) **Reference: 14/00390/COU**  
**Applicant: Mr and Mrs Saunders**  
**Location: Ladywood Farm, Braunston Road, Knossington, Oakham, LE15 8LW**  
**Proposal: Change of use from agricultural barn to wedding and function venue**

- a) The Head of Regulatory Services stated that: Updated report feeding back the issues requested by the Committee (page 2). New content is highlighted in bold. Specifically  
That 'an event' can cross 2 days and are limited to weekends and bank holiday.  
Activity may be present in terms of setting up for events etc.  
New conditions are recommended following liaison between the applicant and the EHO, these are highlighted in bold in the recommendation.

His view was that the volume of the music, that is the bass, described above would constitute a nuisance inside a property. I understand a party was also held at an address known as Preston Lodge, a property in the vicinity on that same evening. I am confident the voice and bass of music described above came from Ladywood Estate.

Applicant comments:

Page 4- makes reference to the UU restricting the number of events. The UU deals with the highway contribution and also places a restriction on the premises that if they are transferred outside the Saunders family, the Licence will not automatically be assigned; the EMP deals with the number of events;

Page 7- refers to the patio (Pavilion) not being in use. As clarified, the Pavilion will be used (as is only reasonable given its function) but I understand that there is now a condition which prevents its use after 11 pm. We are anxious to ensure that Members do not misunderstand that a blanket ban on the use of this area is being suggested; and

The days the events can be held over can be flexible, although an individual event will not exceed the duration of 2 days at any given time. For instance, an event can be held on Friday/Saturday or Saturday/ Sunday (including a Monday if held during a Bank Holiday but still over two days).

2 further representations:

Reporting the experience from a recent event:

- Traffic was still going beyond 2.00 a.m. and we had a car stop outside

- talking on a mobile phone looking for Ladywood with headlights blazing and causing sleep disturbance
- The volume of traffic prevented us from sleeping and is not in line with the traffic management plan.
- Two cars recently who have actually driven down a private drive on the way to a function and have called to get directions without getting out of their vehicle - directions to the venue are meant to be so clear.
- Which residents have been engaged concerning independent acoustic issues
- Amplified music and SOUND OF VOICE is not meant to be louder than background level of noise at the boundary of neighbouring residential properties after 23 hours but was on Saturday 13th

The Head of Regulatory Services commented that the experiences described arose in the context of the events operating without the control the permission proposes. The measures proposed would overcome them all and as such provide sufficient safeguard against the concerns raised and recent experiences.

b) Paul McCreesh, on behalf of Knossington Parish Council and the objectors, was invited to speak and stated that:

- This is the first time we have seen these revised proposals.
- Concerns have been raised by residents regarding the disturbance and noise in a rural community. There are mitigations in place but they are still subject to disturbance.
- There is a lack of confidence that the applicant will adhere to rules. There should be control over usage.
- There are still concerns about late night traffic however the major worry is noise. They refute that there are adequate noise prevention measures in place. Noise carries over long distances on quiet evenings. Noise pollution is a blight on the residents' quality of life and they had moved to the country for this reason.
- There are events practically every weekend during the summer months.
- There should be rigorous controls in place and they insist on a limited number of events per year. The word day should be used rather than event. Late night activity should be restricted. Noise levels should be kept at a low threshold.
- An Officer has confirmed it is a nuisance. This has been happening for a number of years without the correct measures in place.
- Residents' concerns have brought this to committee. They turned a blind eye at first but there are more events taking place. They want strict limitations and rigorous enforcement in place.

The Head of Regulatory Services stated that the Parish Council are notified at the same time as members regarding reports and that they are available on the website for 8 days prior to the committee meeting. There is a degree of agreement between

Mr McCreesh and the officers that rigorous controls need to be in place and that they need to control late night activity and suggested the ones listed in the report are precisely that. The decibel levels are remarkably low at 30 and Condition 9 – nothing emanating from the site can be noisier than surrounding noise sources – provide sufficient protection.

c) Ross Thain, agent on behalf of the applicant, was invited to speak and stated that:

- At the last committee meeting members were concerned regarding the definition of an event and the noise assessment conditions.
- There is a very robust event management plan in place which appeared early on. The applicant is happy to agree to a review of the plan every 2 years. It is a living document that can be addressed at any time.
- On the 13<sup>th</sup> September the event that was being held at Ladywood finished at 1am and he would suggest that the noise heard on this date was from a party being held at Owston which went on beyond 1am.
- There is an advantage to the application being for a permanent building rather than a marquee as there is minimal setting up and setting down.
- The environmental health officer had confirmed that the music at events at Ladywood is loud but not so loud that you wouldn't be able to hold a conversation at 1 metre. At the nearest receptor there was no music audible at all and at Knossington there was no noise at all.
- Since before the licence application was made there have been no noise complaints at all.

The Chair raised concerns regarding the highways and traffic management issues as satellite navigation systems are not always reliable. It is also difficult in remote areas to control traffic.

Mr Thain agreed regarding the issue with satellite navigation systems and stated that cards are now distributed to all invitees to say ignore the satellite navigation directions and follow the correct directions as printed on the card. There has been a suggestion by Rutland Council that signs be put up directing traffic to Ladywood and a contribution to the small section of road that is within Rutland. As part of the event management plan they are going to have someone positioned on the road at 1am to direct traffic leaving the event at Ladywood. The very best action plan is in place to deal with traffic management issues.

Cllr Freer-jones commented that in the previous report as part of conditions an event management plan would be submitted prior to each event and that it was repeated again in this report. She asked for clarification regarding the difference in the new report.

The Head of Regulatory Services responded that recommended condition 1 now specifies what those plans must contain.

Cllr Illingworth raised that he was still concerned over the event definition. He was

also concerned that the applicants had held an event without any control measures in place 2 weeks before their application was to be considered at Committee again. He felt they should have made an effort to have control measures in place before they would legally have to comply with any conditions applied. As part of the report it states there is to be no live entertainment on the day prior to an event however this should be no entertainment as this would leave a loophole for a disco or other types of entertainment that aren't considered live. The wording must be correct so no loopholes are left.

The Head of Regulatory Services stated that condition 4 could be reworded to state the number of days rather than events.

Cllr Illingworth stated that he was happy with an event being 2 days however he still had concerns over the loophole regarding live entertainment.

Cllr Simpson asked for clarification if this is already in the event management plan.

The Head of Regulatory Services confirmed that it is 2 days however the Members can be as precise as they see fit regarding the conditions if the limitations are justified.

The Chair agreed that no loopholes should be left and that the highways conditions should be strictly adhered to.

Cllr Freer-Jones confirmed that the notes that are sent out, do say to ignore the satellite navigation system and there is a sign in Ladywood telling you not to turn into the village.

The Chair commented that you can't control people and they sometimes ignore instructions.

Cllr Sheldon asked if the event management plan is vetted by somebody each time.

The Head of Regulatory Services commented that it would be.

**Cllr Baguley proposed to permit** the application with the conditions discussed applied.

**Cllr Simpson seconded** the application as long as the sound levels are monitored and the management plan is in place. She felt it was for officers to ensure the events meet the conditions when they see the management plan.

Cllr Baguley commented that she felt it wouldn't be fair to impose too many conditions.

Cllr Holmes asked for clarification regarding the event management plan and asked if every proposed event comes back for approval.

The Head of Regulatory Services confirmed that this is not what condition 1 requires at the moment as it is currently a plan for all events to follow.

Cllr Holmes asked if that condition could be put in place for every event.

The Head of Regulatory Services stated that he believed condition 1 would cover all events thoroughly enough. Conditions have to be justified as 'necessary'.

Cllr Holmes commented that we need to look after the residents living around it. The agent said the applicants are trying to comply with everything so surely they would be happy with the new conditions.

The Chair asked if there could be a condition put in to reassess everything in 6-9 months' time.

The Head of Regulatory Services responded that temporary consents shouldn't be used if the whole existence of use depends on it.

Cllr Illingworth stated he would not support the application without the condition that there can be no music on the preceding night of the event and that he would move for refusal if this was the case.

The Head of Regulatory Services responded that this condition could be added in.

Cllr Illingworth commented that he would then support the application.

Cllr Cumbers raised concerns that this would be onerous for the Council and create more work. However if the applicant also found it onerous they could come back and ask for the condition to be removed.

Cllr Botterill commented that it would be a different set of circumstances in the winter months as guests at the events would stay inside the building more. The members need to be firm on these conditions.

Cllr Simpson commented that as seconder she would like the condition to be no music audible on the proceeding night of the event.

Cllr Baguley agreed with Cllr Simpson, but also agreed with The Chair that the condition is reviewed again in 12 months.

The Chair stated that it would be possible to just review condition 1 in 12 months or 2 years but not the whole application.

Cllr Cumbers asked for clarification on a 2 day event as she felt if people were also setting up the day before, this would make it a 3 day event.

The Chair responded that if people hire the premises to put on their event they would sometimes need access prior to the event to take equipment in.

Cllr Cumbers commented that this would then be a 3 day event.

The Chair stated that it wouldn't be part of the event if they were just setting up and no guests were there and no music was being played. They should maintain that no

music would be allowed on the proceeding day of the event. 2 years for the review would be too long so it will be 1 year and reviewed next September.

The Head of Regulatory Services clarified the amendments required for condition 1, which are no music on the proceeding day and the management plan is revisited after 2 years.

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

**DETERMINATION: Approved, subject to the conditions as set out on the report subject to:**

- 1. Amendment of condition 1 to require the Management Plan and Traffic Plan to be reviewed after a year of operation.**
- 2. An additional condition clarifying that no live or amplified music shall be played other than during the 2 days of an event.**

**For the following reasons: The proposal lies within the open countryside and is an established site for wedding events with modifications having been undertaken to existing agricultural barns to create the 'Pavilion' removing the need to use marquees. The proposal is not considered to meet the requirements of policy OS2 as it is not considered to be small in scale but supported by policy C6 in adaption and reuse of a rural building for commercial purposes. The proposal is supported in general by paragraph 28 of the NPPF which seeks to support a prosperous rural economy that is capable of preserving the countryside location. The building is considered to be well designed and fit for its specific function as a wedding venue, with consideration of its countryside location in terms of the proposed materials, and the overall height combined with the agricultural feel of the look of the building. The proposal is not considered to have any negative impact on the safety of users of the highway, nor is it considered to have any negative impact upon the residential privacy or amenity of dwellings in the vicinity. The wedding events could take place over a weekend with the event involving amplified music operated for a maximum of two days, dependant on the persons requirement. The noise levels can be successfully controlled with the use of the noise limiter and management of the site.**

- (3) Reference: 14/00418/FUL**  
**Applicant: Mr A Mellor**  
**Location: Mulberry House, 53 Station Road, Bottesford**  
**Proposal: Construction of two semi-detached dwellings part demolition of a wall and fence to create vehicular access removal of trees and crown lift of one tree**

a) The Applications and Advice Manager stated that: This application seeks

planning permission for the erection of a pair semi-detached dwellings within the grounds of Station Road, Bottesford. Since publication of the report further comments have been received from the Parish Council in respect of the amended plans. The Parish Council maintain their objection on the basis of over intensive use of land and that there appears to be no space for a footway and access remains a concern. A further letter of objection has been received to the amended plans stating that they remain opposed to the development. The objection states that nothing in the revised plan has diminished the potential adverse and unacceptable impact in the heart of the conservation area. The amended plan is still incompatible with the retention of the Conservation principles applicable to this historical part of Bottesford Village. In response to this amended plans were submitted to address the concerns of the Conservation Officer who had concerns over the location of the dwellings and the impact on the Conservation Area. The Conservation Officer now considered that the repositioning of the dwellings is acceptable and preserves the space between the host dwelling and the proposed dwellings. With regards to over development of the site it is considered that there is sufficient separation distance, adequate amenity space, access and parking. Correction to the report page 12 condition 2 should state the date 13th Aug 14 and not 19th May and include Rev A to the plan reference. Request imposition of a further condition;-car parking provisions Remove condition 6. The proposed dwellings would be situated in a sustainable location, would meet the identified housing needs of the borough, would not impact on adjoining properties and is considered to preserve the Conservation Area. Accordingly the proposal is recommended for approval as set out in the report.

b) Laurence Haselhurst, on behalf of the objectors, was invited to speak and stated that:

- There have been 17 letters of opposition which indicates the strength of feeling and weight of argument against this proposal.
- The proposed development is in the centre of Bottesford Conservation Area.
- The revised plans indicate re-orientation of the proposed dwellings so they would be firmly abutting Church Lane, a carefully conserved village route to the beautifully conserved St Mary's church.
- The height and façade of the proposed dwellings is completely in conflict with the existing single storey buildings which reflect the agricultural heritage.
- An increase in housing density in an attractive part of the Conservation Area is unnecessary.
- The plan shows a 'U' shape would be cut out of the hedge but in reality the hedge would be removed.
- The 3 entrances/exits merge on to narrowest part of the lane. This would be dangerous for children going to school, older people and dog walkers as the traffic is already at a high volume. The highway officer states this is not ideal.

c) Paula Money, agent for the applicant, was invited to speak and stated that:

- In February 2014 a pre application enquiry was submitted to Melton Borough Council for the erection of a single detached dwelling.
- The planning officer requested that the plan be amended to provide a pair of semi-detached 2 bedroomed dwellings. This was indicated as a local housing need as identified by the housing market analysis report prepared on behalf of Melton Borough Council in 2006.
- Careful consideration was given to the design of the dwelling being within a conservation area. There are 2 bedrooms which are designed to be in keeping with the character of the conservation area. There is the appropriate level of parking and private amenity space and meets all other standards.
- The planning officer was fully supportive of the new proposal and provided a recommendation for approval to the planning committee which was planned to be presented in July. However it became apparent to the applicant that the Conservation Officer was not supportive of the proposal at this time and there had been a number of objections from local residents. The applicant therefore requested the application be withdrawn from the planning committee so the plans could be amended to overcome concerns. Subsequently the proposal was redesigned to be in compliance with the conservation officer's requests, including the height of the dwelling being reduced to make it a similar to height to adjacent buildings and the re-orientation of the building to address Church Lane.
- The Conservation Officer now supports the application.
- This is much needed housing which is supported by the housing policy officer.
- It is sustainable development in accordance with the NPPF.
- The applicant has been very co-operative with the Council and residents.

The Chair asked for clarification regarding what would be done to the hedge.

Paula Money responded that the precise levels of the hedge had not been agreed, however, the hedge would be retained but the levels would vary to fit around windows.

The Applications and Advice Manager pointed out the hedge annotations on the submitted plans.

Cllr Holmes expressed concerns over non confirmation of proposed hedge levels.

Paula Money responded that it could be conditioned if considered necessary.

The Chair read out a letter she had received from Ward Councillor David Wright.

*As Ward Councillor I have received many complaints regarding this application, and*

*none of approval.*

*Neighbouring residents concerns are many; I list the main objection as follows:*

*Height of proposed properties and visual impact, overlooking and infringing on neighbouring properties and privacy*

*Not in keeping with the character of the locality or harmonising with the surroundings*

*Proximity to St Mary's Church, obscuring view*

*Adverse impact and appearance of conservation area*

*Plot is of insufficient size resulting in degrading the garden of the large property adjacent*

*Site access - poor visibility owing to close proximity to the corner of Church Lane and Station Road that has much pedestrian traffic*

*The build is too close to boundary hedge on perimeter of site.*

*I note and appreciate the report deals with each of these issues and remarks and more besides, but it is my obligation as ward councillor to bring to the attention of the planning committee the observation and concerns of the residents.*

*Planning law is one thing but not forgetting that neighbouring residents will have to live with this unwelcomed development for years to come.*

*I prevail upon your sense of compassion and understanding when judging this application.*

The Advice and Applications Manager stated that there had been issues raised regarding the hedge levels at the site visit and that it wouldn't be unreasonable to ask for a levels plan to be approved and that is a condition that could be put on the application.

The Chair commented that there is reference to a footway but was unsure where this referred to.

The Advice and Applications Manager confirmed this was an error and that it was actually a reference to a grass verge rather than a footway.

Cllr Baguley commented that these were much needed small dwellings in a sustainable village but not at any cost. Station Road is busy, there would be four more vehicles there and there is a bad corner. She wouldn't be supporting the application.

Cllr Illingworth commented that he was concerned the levels issue left a big gap in

the application. He felt that with the height of the windows and the hedge being cut around them to fit, that bare trunks would be all that is left in parts of the hedge. He wouldn't be able to support the application. **Cllr Illingworth proposed to defer the application** until the levels were included in the plan.

The Applications and Advice Manager also suggested deferment but added that currently the applicant could take the hedge down at any time as it is not protected.

Cllr Bush commented would it be an issue if the hedge was taken down and in filled with gravel. A number of properties back on to the hedge anyway.

The Chair agreed that the application should be deferred until there is clarity on the levels. There are 4 parking spaces which highways have acknowledged are not ideal so there are concerns over where visitors would park.

**Cllr Botterill seconded deferment** as there is not currently enough information to allow or refuse the application.

The Chair commented that it is a narrow lane, the traffic is busy and there are concerns over visitor parking.

The Advice and Applications Manager suggested they have 2 plans. 1 being levels and 2 being a cross section through the site so it is easier to see the relationship between Church Lane and the host property and how much the ground and hedgerow would need to be cut out. They are meeting the parking requirements for the size of the proposed dwelling and meeting parking standards. It would be an unrealistic expectation to expect properties to provide visitor parking.

The Chair commented that when cars are parked at the entrance to Church Lane it makes the road extremely narrow.

The Advice and Applications Manager responded that they could pose the question but that parking restrictions are for regulation by the highways authority and the police. From a planning point of view they are providing the required parking for the size of the dwellings.

**Cllr Holmes proposed to refuse** the application as she felt it was an over intensification of the site. It would leave no ground level and the levels should be down to street level.

**Cllr Baguley seconded the refusal.**

A vote was taken and 8 members voted for deferment. The Chair commented that the refusal is lost and the application is deferred for further information.

**DETERMINATION: Defer, to allow for the submission of plans specifying the floor levels of the proposed houses in relation to the level of the road.**

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- (4) **Reference:** 14/00584/FULHH  
**Applicant:** Mr D Cadwallader  
**Location:** 22 Firwood Road, Melton Mowbray  
**Proposal:** Single storey side extension to bungalow to form a garage and erection of a 1.8m high close boarded fence

- a) The Applications and Advice Manager stated that: this application relates to a single storey extension and is reported to committee as the applicant is related to a member of staff. There are no updates to the report. The application proposes a single storey side extension to the existing bungalow, the site is within the town envelope and is considered to be acceptable in terms of its relationship to neighbours, design and highway safety. Accordingly the application is recommended for approval as set out in the report.

**Cllr Holmes proposed to allow the application** but asked for clarification regarding where the line is drawn regarding relatives planning applications.

The Head of Regulatory Services responded that it applies to staff and members of their immediate household.

**Cllr Simpson seconded the proposal.**

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

**DETERMINATION: Approve, subject to the conditions set out in the report, for the following reasons:**

**The application site lies within the town envelope of Melton Mowbray and thus benefits from a presumption in favour of development under saved policies OS1 and BE1. The proposal is acceptable in terms of its design and appearance and would not adversely impact on the character and appearance of the area, the residential amenities of neighbouring properties or highway safety.**

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- (5) **Reference:** 14/00526/FULHH  
**Applicant:** Mr and Mrs Evans  
**Location:** Brook House, 25 Church Street, Scalford  
**Proposal:** New garage and conversion of existing garage to annex

- a) The Advice and Applications Manager stated that: this application relates to the erection of a garage and the conversion of the existing garage to an annex. The application is reported to committee as the applicant is a Council Employee. There are no updates to report. The proposed double garage and annex are

considered to be acceptable in terms of design, impact on neighbours and highway safety. The proposal is considered acceptable and is recommended for approval as set out in the report.

**Cllr Holmes proposed to allow the application as she is Ward Councillor. Cllr Simpson seconded the proposal.**

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

**DETERMINATION: Approve, subject to the conditions set out in the report, for the following reasons:**

**The principle of the proposed annex is acceptable, the conversion details and the design and siting of the proposed garage would be visually acceptable and would have a limited impact on adjoining properties. The proposal would be acceptable in terms of highway safety subject to revised plans allowing for ease of access for vehicles which could be achieved through the imposition of a condition. The proposal complies with policies OS1 and BE1 and although a small part of the annex would be located beyond the village envelope this is an existing building in residential use and the proposal is not considered to undermine restrictive policies in the countryside.**

#### **D43. PUBLICITY AND NOTIFICATION OF PLANNING APPLICATIONS**

The Head of Regulatory Services stated that criticism had been received regarding the way the publicity and notification of planning applications is handled. He had agreed with The Chair a number of possible options however they could be amended to suit should they so wish and that the resource implications could vary dependant on their decision. He would then need to consider the financial implications before returning to the Committee to enable a final decision to be made taking into account resource implications.

The Chair stated she had received 2 phone calls from people saying they weren't advised about the application in Bottesford, which was discussed earlier this evening. However there were 17 objection letters received so people had definitely been informed. She felt we should keep to the current process but would like the opinions of the other members.

Cllr Baguley agreed with The Chair. She raised concerns regarding the other options especially the ones with resource implications.

Cllr Sheldon raised concerns regarding option C. He was aware of a case where 1500 letters were sent out but only 175 were returned. People don't read leaflets until they find it is relevant to them.

The Chair commented that we should only accept representations from the local area as sometime objections are received from other Cities or even Countries. She also added that people take notices down if they are against the application.

Cllr Simpson asked for clarification regarding the GDPO, article 13 definition. If there are over 10 houses or renewables the onus should be on the applicant to inform more than the immediate neighbours so the cost is to applicant not to the Council. Also in some cases the notices in the press should be done via the applicant. Option D could be reworked a little bit as there have been complaints.

The Chair commented that complaints are received with every application and that the Parish Councils should assist more with publicity.

Cllr Bush commented that it would be in the applicants own interest to send out their information to get their application supported and approved. We shouldn't need to tell them to do that.

Cllr Illingworth commented that he liked option D as it was compatible with our values of being open and inclusive.

Cllr Sheldon commented that it is about transparency and that we should advise developers to send out leaflets and hold public meetings.

The Head of Regulatory Services informed members that there is a new function on the website where people can sign up to be emailed about any applications that fall into their chosen area they have signed up for. This is a very new system that has only just gone live.

Cllr Sheldon commented that every house in the Borough should be informed of this facility.

The Chair stated that people have commented the new planning portal is good and much improved.

Cllr Cumbers commented that the weekly list is invaluable.

Cllr Simpson commented that it should be shown to Local Plan Reference Groups so they know where to look for things.

The Chair commented that it should be highlighted in new local plan.

Cllr Cumbers commented that she preferred 4.2 but would like to add a bit about the weekly list

Cllr Illingworth commented that we still need to make people aware of how to find information. He would prefer 4.4. but 4.2 would get his support if everything that had been discussed is implemented.

Cllr Simpson commented she would prefer 4.4

Cllr Freer-Jones commented that more people should be taking an interest in their

own areas and that they have a responsibility to do something themselves.

Cllr Holmes commented that it is different in rural areas and that they are not always notified.

The Chair asked The Head of Regulatory Services to come back with an amended option D.

Cllr Baguley commented that she still thought there should be no change as we do enough already and we know it already works well.

The Applications and Advice Manager commented that there would be no changes on how we consult but there would be changes with technology and that self-service has become more advanced in the last few weeks. She agreed that we need to publicise the new functions on the website, however testing had to be carried out first.

Cllr Illingworth stated that given that assurance he was happy with 4.2 as long as members of the public were informed in a proactive and educational way.

The Chair commented that the officers could do a presentation at the next round of reference groups which were due to start in October. This would help spread the word.

Cllr Sheldon asked if we could do a presentation at Full Council so everyone is informed. Members that aren't here today will not be aware.

Cllr Simpson commented that she still thought larger applications should do consultations themselves.

The Chair commented that they have to now.

The Head of Regulatory Services commented that only turbines have to at present.

Cllr Freer-Jones was excused from the meeting at 7.45pm

The Chair stated we should use option 2 but with the website built into it.

Cllr Cumbers commented that everybody should be informed as soon as possible.

Cllr Sheldon suggested a press release.

#### D44. URGENT BUSINESS

Cllr Holmes stated that she was very unhappy about something that had happened at the last meeting on 4<sup>th</sup> September as she had asked for the Brentingby application 13/00552/FUL to be deferred but her request was not agreed. She had spoken to the Parish Council earlier that day and that they said they had met the case officer some

weeks ago to see where the turbine would be located but weren't able to go on the applicant's land.

Cllr Holmes stated that when the Committee went on their site inspection they were not shown the site where it was going to be, but an alternative location

Cllr Holmes reported that a neighbour has, since the decision was made on 4<sup>th</sup> September, suffered a stroke. She commented that she has been to see a Doctor who knows the neighbour well and he had said it would be very detrimental to health to have a turbine that close to somebody who has had a stroke or had a mental illness.

Cllr Cumbers mentioned a bond to fund the removal of the turbine at the previous meeting and Cllr Homes wanted to know if this had been taken up.

Cllr Holmes raised concerns that she felt a planning application has been allowed in a different place to what was proposed. Cllr Holmes felt so strongly she felt like resigning from the Council. She stated that a near neighbour recently had commented to her that he would build shed in order to obstruct his line of sight, and now he's had a stroke. She is appalled.

Cllr Botterill asked if he should leave as he had previously declared an interest in this application.

The Chair and The Head of Regulatory Services advised him that he didn't need to leave as the Committee was not being invited to make a decision.

The Head of Regulatory Services stated that he couldn't comment on the site inspection as neither he nor The Applications and Advice Manager were present. However he could confirm that the bond is being developed in accordance with the Committee's decision, as an S106 obligation.

Cllr Holmes asked how much was being put into the bond.

The Head of Regulatory Services responded that it was still being determined but that it would be defined by the cost of the works necessary to remove the turbine and would be index linked.

Cllr Cumbers commented that it is only if we get to that situation and that they have 25 years before it has to be removed.

Cllr Sheldon added that it also applied if the turbine hasn't worked for 12 months. The Head of Regulatory Services confirmed that it applied to both of such circumstances.

The Head of Regulatory Services asked for clarification from Cllr Holmes that she was saying they were shown the wrong parcel of land by the officers, i.e. that the Committee was shown the wrong site, not that where the turbine is proposed?.

Cllr Holmes confirmed that this is her complaint and that she asked for it to be deferred. She is appalled that they did not view the right application site.

The Chair stated that Cllr Holmes comments will need to be investigated.

Cllr Holmes asked the solicitor for his comments.

The Solicitor to the Council stated that he couldn't comment until a proper investigation had been carried out.

The Head of Regulatory Services commented that the decision notice had not been issued yet because of condition 106 still being under construction.

Cllr Holmes asked if the decision could be rescinded if it isn't in the correct place.

The Solicitor to the Council stated that it was a possibility, depending on the results of the investigation.

Cllr Sheldon asked if it may come back to Committee if it is found that they had voted on the incorrect location.

The Chair and The Head of Regulatory Services confirmed that he would report back with his findings, regardless of what they conclude.

The meeting commenced at 6.00pm and closed at 7.56pm