



MEETING OF THE
PLANNING COMMITTEE

Civic Suite, Parkside

26 May 2016

PRESENT:

J Simpson (Vice Chair), P Baguley,
G Botterill, P Chandler, P Cumbers, J Douglas, M Glancy,
E Holmes, P Posnett, L Higgins

Solicitor to the Council (EH), Head of Regulatory Services (JWo),
Regulatory Services Manager (PR), Applications and Advice Manager (JW)
Planning Officer (LP), Administrative Assistant (LR)

PL1. APOLOGIES FOR ABSENCE

Cllr J Illingworth (Chair), Cllr J Wyatt and Cllr M Sheldon.

PL2. DECLARATIONS OF INTEREST

Cllr Cumbers declared an interest in 16/00116/FUL due to being related to the applicant.

PL3. MINUTES

Minutes of the meeting 21 April 2016. Approval of the Minutes was proposed by Cllr Chandler and seconded by Cllr Holmes.

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

PL4. SCHEDULE OF APPLICATIONS

- (1) **Reference:** 15/00942/OUT
Applicant: Kimberley Farms Ltd.- Mr Howard Coy
Location: Allotment Gardens, Boyers Orchard, Harby

Proposal: Outline application for up to 15 dwellings, and associated access.

(a) The Regulatory Services Manager stated that

The application is for outline planning permission for the erection of 15 residential dwellings, with the housing mix to include 1 bed bungalows to 4 bedroom houses.

This application relates only to the approval of the access, with all other matters being reserved.

The application site is located to the north west of the village of Harby, adjacent to existing residential development and allotment areas.

To the north, the site is bounded by farmland, predominantly grass pasture with public footpaths connecting the site to the Grantham Canal beyond. The application site is a 1.02 hectare (2.5 acre) area of existing grass pasture, and is currently used by the applicant for livestock grazing.

The site is outside of the village envelope; there is no designated conservation area.

It is considered that the main issues relating to the application are:

- Impact upon the character and appearance of the area
- Impact upon residential privacy and amenity
- Impact upon highway safety

Policy – outside village, this scale of development considered to be acceptable in a village of this size.

The application is required to be considered by the Committee due to the level of representations received.

- **Impact upon the character and appearance of the area**

No specific landscape designation .reasonably well related to the village.
Screened in the main by existing vegetation ,natural extension to the village next to existing dwellings

- **Impact upon residential privacy and amenity**

Approx 50m from closest dwelling – exceeds usually accepted 23m. This would be considered at detailed stage. Site is capable of satisfactorily accommodating 15 dwellings.

- **Impact upon highway safety**

Access is safe, additional parking provided to replace that lost on frontage –
Routing agreement proposed for construction traffic ,which will be secured by condition ,not S106 as reported.

David Scowcroft, an objector, was invited to speak and stated that:

- Concerns about parking and access from the proposed site onto the bend of Boyers Orchard. The road is narrow and already used as a bus route. Parking for the allotments is almost entirely taken up by residents of Boyers Orchard and therefore used full time.
- A better access point would be to the right of the area of Stathern Lane leading to the farm. This would mean there would be no need for access directly onto Boyers Orchard. Priority should be given to brownfield sites, for example the Millway Dairy site, priority should go to this site instead.
- Concerned about the recent number of applications for the Belvoir vale and I am concerned about the impact on facilities such as doctors and schools etc.

Cllr Chandler enquired re the bus route through Boyers Orchard and the frequency of the buses. Mr Scowcroft confirmed that the buses run every hour plus the daily school buses.

The agent for the applicant, Maurice Fairhurst, was invited to speak and stated that:

- The site is next to allotments in the corner of the village and will comprise a mixture of housing including affordable housing to meet the Council's requirements. The Council needs to urgently increase its housing supply as per the NPPF as long as economic side is not outweighed. The proposed new housing will not be visually obtrusive and existing hedges will be maintained. The site has excellent accessibility due to its proximity to the village. New access from Boyers Orchard and new footpaths as well as rationalised parking for allotments (nine spaces). Highways supports the application subject to conditions, applicant agrees with these conditions. This is a sustainable development in sustainable location.

Cllr Holmes, referring to the plan shown, enquired as to the width of the access point and asked whether it could be wider. Mr Fairhurst confirmed that it appeared narrow simply due to the greenery shown on the plan and that the width of the access point is the same all the way through.

The Regulatory Services Manager stated that other developments have made a contribution to the village hall and playground and asked the agent whether this scheme be able to contribute to local facilities. Mr Fairhurst confirmed that he will discuss this with the applicant.

The Regulatory Services Manager responded to the comments made by the objector. With regards to parking, new parking will be provided to replace the existing parking like for like, both on the bend and within the development itself. With regards to alternative access, the Highways Authority have no objection for access via Boyers Orchard. In response to the comments reference the Brownfield site, this was refused by the Committee recently, and this is separate application.

Cllr Higgins stated that as a Council more notice should have been given than tonight but that if the application is approved then it should be with the addition of

with condition section 106. The Vice Chair stated in response that the application is currently in outline stage.

The Regulatory Services Manager advised the Committee that if Members want to support the application with a contribution to local facilities, that they can agree the principle of the development subject to Officers ensuring compliance. If the applicant is willing to cooperate then this can be written into a legal agreement. Members can also defer the application to give the applicant a chance to consider the scheme.

Cllr Higgins stated that there is no need for deferment and that the proposal would be a benefit to the community, suggested to approve the application with conditions.

Cllr Chandler proposed to permit with conditions stating that she is happy with application, fifteen houses is a reasonable number of properties for the edge of the village.

Cllr Holmes seconded the proposal to permit, stating that the area does not have enough housing and that the development looks like a nice site and not too overbearing.

The Regulatory Services Manager stated that conditions 20, 21 and 22 require detail of Suds to be submitted and approved by the Council.

The Committee discussed the scale of the development in relation to the village and the need for housing in the area.

Clarification was sought with regards to the village hall if propose to permit the application.

The Solicitor to the Council advised that if Members wanted to delegate to officers with the proviso of securing a contribution to the village hall, there is insufficient time and information available to make the decision at this meeting.

The Regulatory Services Manager made reference to Langar Lane in Harby stating that Members had a similar agreement in place in the past, and that such an agreement has been approved by Committee before.

The Solicitor to the Council advised that it is not possible to attach a section 106 agreement to a Reserved Matters application and that this needs to be done at outline stage.

Cllr Higgins **proposed to approve with amendment** for officers to be delegated to reach an agreement with the applicant. Cllr Botterill **seconded the proposal**.

A vote was taken. 7 Members voted to permit the application. 2 Members voted to refuse the application. There was 1 abstention.

DETERMINATION: Approved subject to the conditions as set out in the report

and the completion of a s106 agreement securing contributions to the Village Hall, for the following reasons:

It is considered that, on the balance of issues, there are significant benefits from the proposal when assessed under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issue is considered to be the development of a green field site. The harm in this respect is considered to be limited, bearing in mind the location of the proposal and the absence of any identification that is of particular landscape value.

(2)

Reference: 15/00944/OUT

Applicant: Andrew Granger & Co.

Location: Land Off Canal Lane, Hose

Proposal: Residential development of 25 dwellings with associated access and open space.

(a) The Planning Officer stated that:

This application seeks outline permission for the erection of up to 25 dwellings with associated access and open space

All matters are reserved except for access from Canal Lane.

The application is located in Hose, the site itself is located to the rear of the existing built form of the village and therefore considered an appropriate location for development, with easy access to services.

The site is currently a field with no presumption in favour of development, however the proposal does include a 40% mix of affordable housing.

The Borough is deficient in terms of housing land supply and this would be partly addressed by the application, providing the smaller units and affordable element in line with the Council's key priorities.

2 x additional letters of representation have been received since the report published, raising points with regards to highway issues, sustainability, existing services, wildlife and loss of privacy.

In terms of highways an amended drawing has been received by the Authority to show the provision of a new footway along Canal Lane. The application has been assessed by the Local Highway Authority who raise no objection subject to conditions.

Other matters raised have already been discussed with in the main body of the report.

It is considered that, on balance of the issues, there are significant benefits from this proposal when assessed under the NPPF in terms of housing supply and affordable housing in particular.

The balancing issues are considered to be development of a greenfield site and the shortcomings in the sustainability of the location.

The former is considered to be of limited harm, bearing in mind its location and the absence of any identification that it is of particular heritage or landscape value and the latter because of the proximity to existing dwellings and Hose already benefiting from a number of services

As such the application is recommended for approval subject to conditions as set out in the report.

(b): Cllr Julie Witcombe on behalf of Clawson Hose and Harby Parish Council was invited to speak and stated that

The Parish Council object to this application for a number of reasons

- It will overlook the existing properties on Chapel Lane
- It is not in keeping with rural access
- The development is not sustainable
- There will be an increase in traffic through the village. The road around Canal Lane is a single lane and not suitable for traffic
- There are also concerns with regards to flooding problems.

c): the agent for the applicant, Mr Steven Mair, was invited to speak and stated that

- The proposed location is sustainable
- The proposal itself would make significant contribution to the Council's five year plan and significantly boost housing in the area
- The application proposes a mixture of housing types including starter homes and bungalows.
- County ecologists have been consulted with regards to wildlife corridors
- The proposed bungalows will be built with a shared boundary to minimise overlooking
- The development will be built in keeping with existing village.
- The local school has adequate capacity
- Proposal will benefit long term viability of local services as currently there are not enough people using them.

Cllr Botterill enquired with regards to parking whether vehicles would be accommodated on site or in the surrounding village. The Agent confirmed that reserved matters would deal with parking, the current proposal is for residential parking to be accommodated on site.

The Planning Officer clarified the point raised with regards to education

Members discussed the road safety implications and concerns were raised about vehicles passing on roads. The roads around the proposed site are very narrow, if move to permit would like to see condition of accommodating passing places all the way down the affected road. Also stated that there is no pavement from the site to the village, there are safety concerns as the road is narrow. Cannot see where land is available to put a pavement either.

Cllr Holmes proposed refusal of the application and stated that she has visited the site in the past and a pavement would be necessary due to safety concerns that the road is narrow. The land in the area floods, not sure if enough provisions made for that at the present time. Development is too large for a small village. Despite the need for affordable housing, this is not the right location for the development. Proposed refusal.

Cllr Baguley seconded refusal due to safety concerns and flooding.

The Regulatory Services Manager confirmed with regards to the pavement, issue that the application includes a proposed pavement into the village. Highways currently deem the road to be acceptable. Drainage is acceptable Suds or other drainage could be provided if relevant authorities are happy with conditions.

Members noted the advice provided by the Highways Authority and the need to provide evidence if their advice is not being followed.

Members discussed the capacity of the village and its facilities and there was further discussion regarding the road network and its ability to accommodate additional traffic.

Cllr Botterill proposed amendment to the motion, to permit the application.

Cllr Posnett seconded proposal to permit.

There was further discussion regarding traffic conditions and the road network.

Cllr Baguley stated that she cannot support refusal if reasons not strong enough, and withdrew her seconding of the motion.

No other seconders for refusal proposed by Holmes.

The Regulatory Services Manager responded that he was unsure of where passing places would work, would need to consult the Highways Authority, added that there are potential land ownership issues, and the question stands of whether can land be provided to provide passing places. If Members feel strongly about this issue then they can defer the application and consult Highways Authority on mentioned issues. Conditions cannot apply to land outside of applicant's control.

Cllr Botterill requested a deferral due to the points raised, and withdrew his proposal to permit.

Cllr Botterill moved to defer the application.

Cllr Baguley seconded the proposal to defer the application.

A vote was taken. Members voted 4 in favour of deferral and 5 against.

Cllr Posnett proposed to approve the application.

Cllr Higgins seconded the proposal to approve.

Further discussion took place regarding footpaths, Suds, concerns about traffic turning right out of the development, including whether stopping traffic from going down the lane could be included in conditions.

A vote was taken, 7 Members voted to permit the application. 2 voted to refuse the application. There was one abstention.

DETERMINATION: Approved subject to the conditions as set out in the report and the completion of a s106 agreement, also as set out in the report, for the following reasons:

On the balance of the issues, there are significant benefits accruing from this proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issue is considered to be development of a Greenfield site.

The issue of development a Greenfield site is considered to be of limited harm, bearing in mind its location and the absence of any identification that it is of particular landscape value.

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- (3) Reference: 15/00881/FUL**
- Applicant: Vale Electrics:- Mr John Herrick**
- Location: 1 Station Lane, Old Dalby Jim**
- Proposal: Redevelopment of Light Industrial site into residential with the creation of 4 new dwellings and improved access works**

(a) The Head of Regulatory Services stated that:

There is Always concern regarding the loss of employment land but given the following factors it is considered it could not be resisted:

- We, nor the NPPF, have any general policies saying employment land should be retained

- There is an abundance in the area so we cannot argue 'unmet need'
- The site has not been identified as valuable for employment purposes in our recent employment study or anywhere else.

This, coupled with the 'forcefulness' of the housing policies given our 5 yr land supply issues, puts the balance firmly on the side of approval. In addition, its now surrounded by housing so is a bit of an anachronism where it is located.

Cllr Orson left the room due to a pecuniary interest.

Cllr Duncan Bennett on behalf of Broughton and Dalby Parish Council was invited to speak and stated that:

- There are 4 different descriptions of old Dalby in report re sustainability
- Total 103 houses forced upon village
- 50 per cent increase is unreasonable.

Mr James Botterill, Agent for the applicant, was invited to speak and stated that

- Proposal is for four semi-detached houses with associated parking
- Attractive rural cottage vernacular
- Acceptable visually and in terms of amenity
- No issues have been raised by Highways
- No other third party consultations have raised issues either
- The committee must consider application site to be sustainable due to previous applications being permitted. See no reason not to approve.

Cllr Higgins sought clarification as to whether the current business would be moving or closing as a result of the application and whether there would be a loss of jobs caused.

The agent stated that there was no immediate decision to close or relocate business.

Cllr Holmes **proposed to permit the application.**

Cllr Baguley **seconded the proposal to permit.**

Discussion followed and it was commented that it would blend into the existing developments that have already been passed. Comments were made that the number of houses recently granted in Old Dalby is worrying and glad that the Parish Council raised this issue at the planning committee.

A vote was taken. Members voted unanimously to approve the application.

Cllr Higgins requested for his vote to be recorded along with his concern at the loss of employment land.

DETERMINATION: PERMIT as per the recommendation set out in the report, for the following reasons:

The site is considered to perform reasonably well in terms of access to facilities and transport links; those in the immediate vicinity and the added benefit of a modest range of additional services in Old Dalby and Nether Broughton nearby. However, there remain deficiencies, most obviously in relation to secondary/higher education, shops, health care and leisure/recreation.

On balance it is considered the benefits of additional housing, on a site adjacent to a recently approved housing scheme, outweighs the concerns over the sustainability of the site.

(4)	Reference:	15/01013/FUL
	Applicant:	J.R.T. Construction Limited:- Mr Nicholas Tomkinson
	Location:	Pilgrim Service Station, 30 King Street, Scalford
	Proposal:	Redevelopment of former Pilgrims Garage site King Street, Scalford

(a) The Regulatory Services Manager stated that:

This application seeks planning permission for the re-development of the site to create three dwellings on the former Pilgrim garage on the eastern side of King Street. The existing buildings on site would be demolished and three dwellings (1 x 2 bed and 2 x 3 bed) would be erected in the form of a pair of semi-detached dwellings and a detached dwelling.

Revised plans have been received clarifying the highway boundary and confirming the height of the dwarf wall adjacent to the highway boundary at 0.6 metres.

It is considered that the main issues arising from this proposal are:

- Compliance or otherwise with the Development Plan and the NPPF

- Impact upon the character of the area
- Impact upon residential amenities
- Contamination
- Highway safety

The application is presented to the Committee due to the number of representations received.

- Compliance or otherwise with the Development Plan and the NPPF
Brownfield site in a village
Principle of development acceptable in 2005 – is more so now

- Impact upon the character of the area
Fits into street scene , frontage development with a mixed scale/density of development

In conservation area which would be enhanced by removal of existing buildings and the proposed development .
Levels would be assured by a condition.

- Impact upon residential amenity
Close to cottage at rear and some disturbance from activity from parking /vehicles,– but consider that this is better than an unregulated garage/business on the site
Obscure glazing proposed to part of bedroom window in plot 1 to minimise overlooking Contamination ,would be mitigated by conditions
- Highway safety
The Highway Authority welcome the removal of the garage
Site would provide 5 parking spaces for 3 dwellings.

It is considered that the application presents a balance of competing objectives with the Borough being deficient in terms of housing land supply and this would be partly addressed by the application. The village of Scalford is considered to be a reasonably sustainable where some services can be accessed. Though by no means optimum, the site is considered to perform reasonably well in terms of access to facilities and transport links; those in the immediate vicinity and the added benefit of a modest range of additional services in Scalford. Furthermore, the proposal would re-develop the site and remove the current unsightly buildings and would result in gains through highway safety, contamination and enhancing the Conservation Area.

On balance it is considered the proposal is acceptable and is recommended for approval.

Cllr Holmes proposed to suspend standing orders due to a second objector not being registered to speak. Members agreed.

Cllr Bryan, Chair of Scalford Parish Council, was invited to speak and stated that

- The Parish Council is strongly against overdevelopment of this site.
- Consent has been given in past for 2 houses, this proposal is a 50 per cent increase.
- The proposal would dominate the existing scenery as it has no relationship to the existing buildings
- The proposal would be overlooking neighbouring properties.
- The entrance at the end of the of terrace would also be affected.
- Quality of life of neighbouring properties would be diminished
- The proposed houses themselves are no good
- No amenity land in this location
- Parking on the surrounding streets is likely due to poor parking location.

Cllr Baguley enquired whether there is a children's play area in Scalford.

Cllr Bryan confirmed yes, although nowhere near house, 1m away from edge of pavement

Mr A McAvoy, objector, was invited to speak and stated that

- Live directly opposite the proposed sites
- Principle objection is the complete loss of privacy as the proposed property will be directly opposite
- Rooms overlooked will include the living room and the bedrooms of two young children
- Understand that article 8 of the Human Rights Act – privacy – family life etc – would like committee to demonstrate Act is not being breached.
- Safeguarding issues due to traffic – a lot of traffic moving about, concerned about safety for local children, will hinder their view for crossing street.

Cllr Higgins asked for clarification with regards to another live application already on the site for two houses, and asked Mr McAvoy what the difference is with regards to privacy. Mr McAvoy responded there was no difference as he objected to that as well.

Mr Lawson, objector, was invited to speak and stated that

- The proposal will overlook my property adjacent
- Condition of frosted glass yet nothing to ensure privacy of ground floor ie no boundary fence, resulting in loss of privacy from the garden
- Ground levels – it is not mentioned anywhere in the application re height of dwellings in relation to road or neighbouring properties. Refer to planning officers report – pg 7, ground water, sand contamination could be addressed through a condition, so could levels, However no conditions in relation to this further in report. Also, if ground levels altered to make it level to highway the whole site will have be dug out,

Cllr Higgins sought clarification form Mr Lawson in terms of windows and condition 16, would he feel that it should not be an opening window should this be approved.

Mr Lawson responded that he will not be happy without a fence at ground floor level as windows will still be overlooking his property whether they open or not.

Mr Tomkinson, agent for the applicant, was invited to speak and stated that

- At time of purchase in 2007 permission for two dwellings was permitted.
- Three smaller properties would be more beneficial than two larger properties due to affordability for younger families and first time buyers.
- Highways allows for adequate parking although with limitations, change of use will alleviate these concerns.
- Due to site already having permission granted the other issues have also been taken into consideration and impact has been minimised where possible
- The new proposal will not deviate from original design due to restraints
- This proposal is more affordable which would be more beneficial to the village as a whole.

Cllr Higgins asked in terms of planning permission already granted in the past and the current proposal, were two detached houses not deliverable and is that why the application contains three. Mr Tomkinson responded that this was not the case and it is more from past experience from similar schemes.

The Head of Regulatory Services spoke and confirmed that the Human Rights Act is not engaged by the planning application and that it is not applicable in decisions of this nature.

The Regulatory Services Manager clarified that with regard to levels, condition 15 requires details of levels to be provided to the Council, issues raised by neighbours would be covered by this condition. He also mentioned condition 3 part e was relevant for privacy of neighbours, can add to include 1.8 -2m high fence. With regards to properties not changing in future, condition 4 removes permitted development rights. The development itself is for three modest dwellings with limited amenity space, something that will replace something else rather unsightly, will reflect existing character.

Clarification was sought on how this compares to the existing planning application on this site. The plans were displayed comparing the existing permission for two detached houses, the new application is for the three dwellings.

Concerns were raised regarding the condition of the site and the appropriateness of affordable housing in Scalford, with reference to another location in the village which was also proposed as affordable housing, but only one was sold and the remainder rented out. Clarification was sought with regards to the intended fence: how can this be sorted out without details of levels?

The Regulatory Services Manager confirmed that if Members were to support the application, and feel details of fence need to be a certain height, it is reasonable to specify the height through condition 3e, height in relation to the property. Members could impose fence or screening above a certain level.

Cllr Holmes proposed refusal as three houses is over intensification of the site, offering inadequate amenity for children and the existing amenity is too far away for them to safely access. She stated that she cannot support the application due to safety concerns and that King Street is becoming a dangerous road. The amenity area is up the street on a corner, children must be considered as well as the privacy of other people.

Cllr Chandler seconded the refusal, expressing concern regarding quality of life for future residents, space for amenity, nowhere to hang laundry, cannot open windows, the NPPF specifies houses must be quality dwellings, cannot agree these will be.

The Regulatory Services Manager made reference to policies OS1 and BE1, causing harm to residential privacy for neighbours and occupiers of proposed dwellings and amenities, character and appearance of area.

Cllr Holmes was asked whether she would remove highways reasons from her motion. She was happy to retract comments with regards to highways but the other concerns remain.

The Regulatory Services Manager made reference to paragraph 57 of the NPPF and the need for quality of spaces and high quality design, suggesting this can be used for refusal. He confirmed that the former permission had now lapsed.

There was further discussion regarding the desirability of smaller houses and the design and layout issues and the expectations the NPPF makes regarding design quality and health impacts.

Cllr Higgins **submitted an amendment to refuse the application** on revised grounds comprising overdevelopment resulting in poor design, with adverse impact upon the conservation area and the amenities of neighbours

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

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

DETERMINATION: Refused , on the following grounds:

The proposal represents a cramped, overdevelopment of the site which would:

- **have an adverse impact upon the amenities of neighbours and the amenities of future occupiers of the proposed dwellings ,contrary to saved policies OS1 and BE1 of the Melton Local Plan and paragraph 57 of the NPPF and;**
- **harm the character and appearance of the conservation area ,contrary to saved policies OS1 and BE1 of the Melton Local Plan and paragraph 131 of the NPPF.**

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- (5) Reference: 15/00826/FUL**
- Applicant: Mr And Mrs Jinks**
- Location: The Hall, 2 Main Street, Gaddesby**
- Proposal: One new dwelling.**

(a) The Applications and Advice Manager stated that:

This application seeks planning permission for the erection of a single dwelling to the north-east of Gaddesby Hall. The dwelling would be accessed from North Hall Drive and would be located between two existing dwellings on a parcel of land which is currently a grassed area and tennis court. The site lies outside of the designated village envelope. Members may recall that this application was deferred from Committee on the 18th February to seek amendments to the proposal. The application has been amended setting the dwelling and garage back into the site and at a lower level.

Since publication of the report comments have been received from the Parish Council stating;

Following careful consideration of the amendments, Gaddesby Parish Council are of the opinion that the previous concerns raised remain, namely;

- a. The proposed new dwelling is adjacent to important Grade I and Grade II listed buildings, within the village Conservation Area and including an area being previously identified as a 'particularly attractive landscape'.
- b. No provision has been made to make improvements to the vision splay to the right. Vehicles travel at speed along Main Street, Gaddesby so Gaddesby Parish Council have serious concerns regarding the limited vision when exiting North Hall Drive. A Community Speed Watch study carried out during the summer of 2012, showed that motor vehicles do travel in excess of the speed limit when travelling along Main Street.
- c. The yew hedge, to the left of the entrance, has been re-aligned by an insignificant amount, so Gaddesby Parish Council cannot see that this will address the visibility for access onto the public highway. The removal and replacement of the yew hedge has a significant impact on the existing street scene. It is understood that this hedge, is approximately 120 years old, has historic interest and is valued by the local parishioners and visitors to the village.
- d. The private drive is some 400 metres, distance will only allow single lane traffic. This is unsatisfactory for the current traffic and would therefore be unsuitable for the increasing number of motor vehicles.
- e. There is a lack of access through the private drive for delivery and emergency vehicles. Waste disposal lorries do not currently use the driveway, waste bags are

placed at the entrance to the drive, which is unhygienic and a potential environmental hazard. We have serious concerns that emergency vehicles would not be able to access the proposed property effectively, without encountering problems.

f. Gaddesby Parish Council consider that the entrance to the new dwelling is too close in proximity to the existing dwelling on North Hall Drive.

Additionally, the Planning Committees suggestion of moving the proposed dwelling further back and to a more central location along with a reduction in the elevation levels comparative to that of the neighbouring properties has not been sufficiently met in the revised plans. They would also like to request that independent ecology and archaeological surveys are completed prior to the final decision being made.

In response to this it is considered that this has been addressed within the report.

In terms of the application whilst the site lies in the designated open countryside it lies on the edge of a sustainable settlement on a parcel of land which forms a group of buildings. The site is not considered to be isolated and is adjacent to a sustainable village and is considered to comply with the requirements of the NPPF. The site is within the Conservation Area and there would be adjacent to two listed buildings. The dwelling is considered to be some distance from the boundary of Gaddesby Hall, a grade II listed building, and it is not considered that the proposal would have an adverse impact on the setting of the Listed Building. Separated from the Church by Paske Grove it is not considered that the proposal would impact on the setting of the Church. In respect of the Conservation Area it is considered that the dwelling would be seen as a group of buildings and with suitable landscaping would preserve the character and appearance of the Conservation Area.

Members need to be considered if the amended plans have addressed their concerns and the siting of the garage/dwelling and levels is now acceptable?

The proposed is considered acceptable and is recommended for approval as set out in the report.

c) Mrs Grigalis, objector on behalf of Gaddesby residents, was invited to speak and stated that

- The revised application does not conform to representations made at the last Committee meeting.
- There was a clear request for the house and garage to be moved further back, however the garage has moved closer to the house but the house itself is still on the boundary and has only moved by a few feet
- The proposed dwelling should also not be so substantial in stature as it will be overlooking neighbouring properties – the size of the garage has been reduced but the size of the house has not been.
- Concerns also remain with regards to safety for users of North Hall Drive, the proposed alterations will not satisfy these concerns.

- This application has seen significant opposition throughout the application process.
- Recommendation in the Planning Officer's report left residents confused
- The development will impinge on the existing village envelope.

Cllr Holmes asked for clarification on height and whether the size garage is still an issue.

Mrs Grigalis stated that the garage has moved but house has not, maybe by 5 feet, size not reduced at all.

The Applications and Advice Manager was requested to convey the content of a the letter recently circulated from the applicant Mr Jinks:

- Alterations/ highways points
- Hedge repositioning
- Two passing bays now included on drive as per Highways Authority's request.
- Officer requested house not set too far back – do not want to impact on conservation area.
- To alleviate concerns have lowered floor levels of garage and house, driveway entrance has also been repositioned.

The Applications and Advice Manager spoke to clarify with regards to the proposed street scene, discussed conservation area and listed buildings as well as setting house back, potential for impact increases when placing house much further back.

Cllr Baguley proposed to permit, stating that the applicant has done what was asked of them in reducing the height of the building and the house itself being moved back.

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

A vote was taken. Members voted unanimously to approve the application.

DETERMINATION: Approved as per recommendation set out in the report, for the following reasons:

The dwelling is considered of a suitable design, echoing the adjacent dwelling and with conditions relating to landscaping and finished land levels, would be well integrated into the site. The dwelling would have an impact on the amenities of neighbouring properties; however, the distances between dwellings, the layout and the levels and landscaping conditions would ensure there would be a satisfactory relationship. It is expected the dwelling would be set at a floor level significantly below the current land level with a comprehensive landscaping scheme significantly strengthening planting especially on and close to the boundaries of the site. The plans incorporate revisions to the junction between North Hall Drive and Main Street which

would improve visibility and ensure a gain in terms of highway safety. The proposal would not have an adverse impact on the character or appearance of the Conservation Area or on the setting of nearby listed buildings.

- (6) Reference: 16/00202/FUL**
- Applicant: Shield Engineering :- Mr Christopher Shield**
- Location: The Lodge, Gaddesby Lane, Ashby Folville**
- Proposal: Conversion ,remodelling and extension of single residential dwelling into two separate residential dwellings. Part demolition required to separate building.**

(a) The Applications and Advice Manager stated that:

This application seeks planning permission for the conversion, remodeling and extension of single storey dwelling into two residential properties. The site was the former lodge to Ashby Folville Manor adjacent to the entrance gates. The site lies outside the village but within the Conservation Area.

There are no updates to the report.

The main issue regarding this application is Ashby Folville is considered to be an unsustainable location. The site is some distance from the village, however, the proposal relates to the conversion of an existing structure. The property was the former lodge to Manor and has historic significance. The application proposes the removal of extensions and unsympathetic additions which can be seen as a significant approval to the visual amenity of the building and enhancing the conservation area. In this case the benefits of the scheme, visual improvements of a heritage asset and enhancement of the Conservation Area is considered to outweigh the sustainability issue. As such the proposal is recommended for approval as set out in the report.

Cllr Holmes **proposed to approve the application.**

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

A vote was taken. Members voted unanimously to approve the application.

DETERMINATION: Approved as per recommendation as set out in the report, for the following reasons:

Although Ashby Folville is not a sustainable village the proposed scheme would have benefits including the enhancement of the Conservation Area. The proposal relates to the conversion of the existing building rather than a new build and would represent a significant visual improvement. In this case the benefits of the scheme are considered to outweigh the sustainability issue.

The proposal is also acceptable in terms of residential amenity and highway safety and would safeguard the heritage assets.

- (7) Reference: 16/00120/FUL**
- Applicant: Mrs P A Burnham & Mrs J Benzie**
- Location: 34 Main Street, Thorpe Satchville Jim**
- Proposal: Removal of existing garage and driveway. Construction of a new two bedroom dwelling, with new driveway and garage.**

(a) The Head of Regulatory Services stated that:

This is an amended plan following deferral at the last meeting. It has been amended to show parking/turning in front of the house. Highways are happy with this proposal and regard it as a 'gain' compared to the existing situation (which is the need to reverse from a garage with almost no visibility) see page 5 of report.

The wider issues remain relevant and Members will be aware of the recommendation last time and this that the design is considered unsatisfactory and that there are sustainability issues in Thorpe Satchville.

(b) The agent for the applicant, Mr Richard Cooper, was invited to speak and stated that

- The last committee meeting covered the principles of the development
- Development has received significant local support and no objections.
- Thorpe Satchville is small village with interdependency of services and a shortfall of smaller homes. This development will stop the village from stagnating.

With regards to design

- existing dormer windows
- simple design emulated by proposal
- design has door facing no.34
- location apparent from road
- will allow neighbours to easily communicate with each other.

The application was previously deferred specifically for access concerns, have consulted further with LCC Highways, and explored several options which have been incorporated into this new application. LCC Highways are not supportive of the proposal of access from the rear of the site. Reasons for deferral have been addressed.

The Head of Regulatory Services confirmed that parking in the street would increase and Highways rejected rear parking for this reason.

Discussion took place regarding the need for smaller housing in the Somerby ward. Thorpe Satchville currently has hardly any children in it and the recreation ground is suffering as a result. There are no homes for older people that have left the area for university etc to come back to Somerby.

The Head of Regulatory Services confirmed that the recommendation for refusal is partly based on design. He would welcome the application to be delegated for amendment if other issues are found satisfactory

Cllr Higgins **proposed to permit, subject to officer delegation on design.**

This was seconded by Cllr Chandler

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

DETERMINATION: PERMIT, subject to

- **the receipt of an amended design for the dwelling, delegated to the Head of Regulatory Services in consultation with the Ward Member.**
- **Conditions, details of which are delegated to the Head of Regulatory services**

(8) Reference: 16/00107/FUL

Applicant: Mr David Stirling

Location: The Wheel, 9 High Street, Waltham on the Wolds Jim

Proposal: To move a building which already has planning consent (13/00924/FUL) further north within the plot.- NOTE: Amended plan removing velux window from bedroom on rear elevation only

The determination of this application was deferred to the next committee meeting to allow third parties to be notified.

DETERMINATION: Deferred to next committee meeting in order to allow for the correct notification of all interested parties.

(9) Reference: 16/00114/FUL

Applicant: Mr Ross Whiting
Location: Eastcote, 91 Grantham Road, Bottesford Jim
Proposal: New Garage for Plot 2

(a) The Head of Regulatory Services stated that

Proposal for a garage forward of the building line at this property.

One additional objection has been received :

- The application is vague
- It does not respect the building line and is contrary to policies – decisions need to be consistent.
- It is close to the bridleway which is used for traffic and now needs a retaining wall.

Plans were displayed which show the proposal in comparison to the appeal decision. This was refused for streetscene/building line issues because of the bungalow proposed in the front area. This proposal significantly different because of its lesser scale, position further up the slope but most of all because it would be a mirror image of the adjacent plot

(b) Sheila Woollard, objector, was invited to speak and stated that

- Two inspectors have turned down appeals for buildings on this stretch of road previously as they were not in keeping with area.
- Proposed plan is larger than a standard garage, standing at 31 x 20 feet.
- Plot one was granted on the condition that it would be hidden. The new garage would be highly visible.
- The applicant does not own the footpath but some of the trees on this path have been removed, as well as a section of the path itself.
- The slope to the plot has gone, steps are now needed to access the house, which are again more visible.
- Proposed garage is planned so far down the front garden that it would be obtrusive to the public footpath.
- This proposal is overbearing and would be out of character on a rural path.
- Do not believe there would be adequate space for a retaining wall or hedge to hide it.
- Question that applicant has previously not followed conditions. If inclined to permit please defer until conditions are followed.

Cllr Higgins thanked Sheila Woollard for her contribution. Raised clarification point that the design and street scene would have an adverse impact, regardless

of other notices and enforcement.

The Head of Regulatory Services made reference to reference to past enforcement issues and previous stop and breach notices, stating that these reflect the behaviour of the developers on this site. Ongoing issues include removal of hedging despite conditions to retain it, the fence surrounding the plot is also higher than permitted. The issue of excavations can be raised with the applicant as they have extended into the bridleway, which is not authorised and a separate issue regardless. If the garage was to be approved it implicitly authorises part removal of a length of hedgerow because it is proposed to go immediately onto edge of bridleway leaving no gap for existing hedge. These issues will remain whether this application is approved or refused.

The Solicitor to the Council stated that deferral should have sound planning issues and that enforcement is not relevant in considering this application.

Members reported the conditions surrounding the site and its surroundings - the track is now unrecognisable due to a large amount of shrubbery and trees having been removed and burnt on site.

Cllr Chandler proposed to defer the application

Cllr Botterill seconded the proposal to defer the application.

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

DETERMINATION: Deferred for site inspection

(10) Reference:	16/00116/FUL
Applicant:	Brickfield Land And Developments Ltd:- Mr Robert Oxley
Location:	47 Burton Street, Melton Mowbray
Proposal:	Proposed change of use from offices into 6 residential apartments

Cllr Cumbers left the meeting due to an interest in the application.

(a) The Applications and Advice Manager stated that:

This application seeks permission for the change of use of a listed building from offices to 6 residential apartments within the town. The building lies within the Conservation Area and is in close proximity to a number of other listed buildings.

There are no updates to the report.

The change of use to residential is not considered to cause undue harm to the fabric of the listed building, the conversion would be sympathetic to the visual appearance of the building and satisfactory in terms of amenity and highway safety. Accordingly the proposal is recommended for approval as set out in the report

The Chair commented that the application is only at committee for the reason that the applicant is related to Cllr Cumbers.

Members commented that she is pleased with the proposal, highly desirable and a valuable contribution.

The Applications and Advice Manager stated for clarification that the conversion from office to residential does not require permission, only it because exceeds the permitted number.

Cllr Higgins **proposed to approve** the application.

Cllr Posnett **seconded the proposal to approve.**

A vote was taken. Members voted unanimously to approve the application.

DETERMINATION: Approved subject to conditions as set out in the report, for the following reasons:

The proposal relates to the change of use from office to residential of a listed building within the Melton Mowbray Town Centre Conservation Area. It is considered that the change of use will not cause undue harm to the fabric of the listed building and any internal changes can be conditioned to ensure the few remaining historic features are preserved.

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

PL5. URGENT BUSINESS

None

The meeting commenced at 6.03 pm and closed at 9.10pm