



MEETING OF THE
DEVELOPMENT COMMITTEE

BOARDROOM, MELTON MOWBRAY

29 September 2011

PRESENT:

P.M. Chandler (Chair)
P. Baguley, G.E. Botterill, J. Douglas
M. Gordon, J. Wyatt, J Illingworth
J. Simpson, P. Cumbers and J. Moulding.

Head of Regulatory Services, Planning Policy Officer (PG)
Applications and Advice Manager (JW)
Solicitor to the Council (VW), Administrative Assistant (JB)

D29. APOLOGIES FOR ABSENCE

None received.

A minutes silence was held in memory of Cllr Nigel Angrave who passed away suddenly on the 28th September.

D30. MINUTES

Approval of the Minutes of the Meeting held on 8 August was proposed by Cllr Baguley and seconded by Cllr Wyatt. The committee voted in agreement. It was agreed that the Chair signed them as a true record.

There were no matters arising from the minutes of 8 August 2011.

D31. DECLARATIONS OF INTEREST

None.

RESOLVED that the under-mentioned applications be determined as follows and unless stated otherwise hereunder in the case of permissions subject to the conditions and for the reasons stated in the reports.

D32. SCHEDULE OF APPLICATIONS

- (1) **Reference: 11/00478/REM**
Applicant: Mr Martin Roberts
Location: Three Shires Nursery, Orston Lane, Bottesford
Proposal: Application to extend existing nursery to a garden centre with cafe, farm shop and new children's play area – reserved matters

(a) The Applications and Advice Manager stated that:

This application seeks reserved matters approval for a garden centre with café, farm shop and children's play area. The principle of the development was approved in 2010 when outline planning permission was granted. The application seeks approval of the access, appearance, landscaping, layout and scale. The application lies in the open countryside.

There are no updates to report.

With regards to the application the main issue is the impact on the open countryside and the design and layout of the proposal. The proposed access and parking is considered to be acceptable and there is considered to be no impact on neighbouring properties. The building is considered to be simple in design and is suitable for its function and locations. There has been some concern with regards to the layout and the building operating as an independent café, however, it is considered that a suitably worded condition would ensure that the building remains ancillary to the existing nursery.

Accordingly the proposal is recommended for approval as set out in the report.

The Chair stated that the application was within her Ward, she was supportive of the proposal and wished the Applicants every success with this venture.

Members agreed that the proposal was a good one and would bring life into the village.

Cllr Botterill moved to approve the proposal in accordance within the recommendations in the report.

Cllr Wyatt seconded the proposal.

On being put to the vote the application was approved unanimously.

DETERMINATION : Approved for the following reasons and subject to the conditions as stated in the report:

The application seeks approval for the access, appearance, landscaping, layout and scale. The proposed access and parking is considered to be acceptable and it is not considered that the detailed scheme would impact on neighbouring properties. The building is considered to be simple in design and is suitable for its function and location and accords with the scale anticipated by the outline application. Whilst there has been some concern that the layout could allow an independent cafe, it is considered that a condition - ensures that the building remains ancillary to existing nursery.

**(2) Reference: 11/00604/FUL
Applicant: Mr Ian Wilkinson
Location: 11 Harby Lane, Plungar
Proposal: Single Storey Front Extension.**

(a). The Applications and Advice Manager stated that:

This application seeks planning permission for the extension of a dwelling with the village envelope for Plungar. The application proposes to extend the dwelling to the front to provide a lounge extension, reception hall and store.

There are three additional comments submitted that are not contained within the report;

The Parish Council are objecting to the proposal as the footprint is nearly twice the size of the original house, there is no mention of plans for dealing with extra “run-off”, the extension would extend over the building line and the new front window is not in keeping with the remaining windows in the property. With regards to the Village Design Statement the proposal conflicts with point 1.1 consideration of the streetscene – the streetscene would be damaged by the addition of the low sloping roof and extended frontage. Point 1.12 pitch of garage roofs – the sloping roof of the garage does not conform to this and point 1.20 pitch of roofs – whilst not new build the extension goes against the spirit/intention of this paragraph.

Two additional letters of objection have been received stating that the proposal is not in keeping, is too large and concern that it would become a shop which would not be acceptable. The style of the proposal is out of keeping with the rural village The front is not attractive and is not appropriate or in line with the Village Design Statement, the roof pitch is less than 30 degrees. The proposal would be more than 50% of the original dwelling ground floor size.

With regards to these additional comments there is a Village Design Statement for Plungar and this is a material consideration. The statement gives design guideline on building style, materials, window, porches and roofs. The proposal would not appear

to comply with the guidelines in the VDS, however, this is one material consideration and not being in accordance with the VDS is not enough ground for refusal, the harm of the proposal is still required to be demonstrated.

With regards to the other objections received with regards to the size, streetscene these are all addressed within the report. The application is for a residential extension and no retail is proposed.

The main issues with regards to this application is the impact on neighbouring properties and the impact on the streetscene. It is considered that the extension has been designed to respect adjacent properties and is not considered to impact on the intrinsic character of the area. The proposal does project to the road by 6.1 metres, however, the plot is large and the adjoining properties are staggered which lessens the impact on the streetscene. It is not considered that the proposal adversely impacts on the streetscene and has been designed to respect the existing property.

Accordingly the proposal is recommended for approval as set out in the report.

(b). Roger Smith, an objector, was invited to speak and stated that:

- he represents the neighbours affected by the proposal
- the proposal, especially the sloping roof, is not in keeping with the Village Design Statement for Plungar and a Category 3 village
- the extension would be very large and incorporated a sizable second storage space
- the views to the site from across the road will be impacted.

(c). Mr Clive Booth, the agent for the applicant, was invited to speak and stated that:

- he believes that the proposal does comply with local policies and that it does not impact on adjoining neighbours
- the extension would amount to a 40% increase in ground floor footprint
- 13 Harby Lane is further forward than the proposed extension and would not be effected by it
- a 3m gap between buildings is acceptable, with no loss of light or ventilation resulting
- the pitch of the roof is dictated by the need to fit it below the first floor window level and that this has been the case with other buildings in the area
- the applicant is a collector and the extra storage space is for that use not as a business use.

(d). Anne Campbell-Lamerton, chair of the Parish Council was invited to speak and stated that:

- the Parish Council are not in favour of the proposal especially because of the pitch of the sloping roof and the lack of information regarding rain water run-off and how that will be controlled
- the existing streetscene will be adversely affected, with the original building line being lost
- the proposal will make the building more prominent and visible from the street
- the parking and hard standing to the front will increase problems with run-off to the road

- the design is not in keeping with the spirit of the design guidance.

(e). Cllr Rhodes, Cllr. Rhodes one of two Ward Councillors for the Ward was invited to speak and stated that:

- the proposal is not in keeping with the existing layout in the street
- the extension would be very large and is more prominent due to it being to the front of the building
- visually there will be a detrimental effect on the streetscene and opposite neighbours and will change the characteristics of the road.

The Applications and Advice Manager replied to points raised. She clarified the position regarding the category status of the village and said that as regards to extensions for houses the categorisation was not relevant. The second store was ancillary to the dwelling, any other use would require planning permission. The concerns regarding the run-off from the hard standing were covered by Building Control Regulations not Planning. Finally, the Village Design Statement was considered and although the proposal does not follow it directly there was deemed to be no harm done visually; demonstrating harm remains the legal test if applications are to be refused.

The Chair summarised that the Members had to consider if the proposals were out of keeping with the existing development.

Cllr Illingworth asked for clarification that the proposal would come forward by about 4m from the existing line of the building, and if so, that this would not have not an adverse impact on the streetscene of neighbours.

The Applications and Advice Manager confirmed the measurements.

Cllr Baguley (Ward Councillor) agreed with both Cllr Rhodes and the Parish Council that the proposal would mean a loss of green space (garden) and change the street scene.

The Chair asked for clarification on the status of the Village Design Statement.

The Applications and Advice Manager stated that the document was a supplementary plan and the Head of Regulatory Services stated that it is as relevant now as before and should be considered by the Committee as part of their determination.

Cllr Wyatt said that 4m will not make any difference to the building line and proposed approval of the application.

Cllr Illingworth seconded the proposal.

A Cllr stated that she believed that other buildings on the street had been considerably extended, some on the front, and that this proposal was in keeping with those.

A vote was taken: 8 in favour of approval, 2 against.
Cllr Chandler asked that her vote against the proposal be recorded.

DETERMINATION : Approved in accordance with the reasons and conditions set out in the report:

The proposed development is considered to be acceptable in terms of its design and appearance, parking and access arrangements and to have no significant adverse impact upon the amenities of the area or neighbouring properties. As such, it is considered to be in accordance with the objectives of policies OS1 and BE1 of the Adopted Melton Local Plan.

D33 REQUEST TO CONSIDER REVISIONS TO S106 AGREEMENT – 87/00184/FUL, RECTORY COURT, BOTTESFORD

(a). Head of Regulatory Services stated that:

The proposal related to a request to delete the terms of the existing s52 agreement in respect of the requirements to:

- Lease one of the flats to a warden for the site
- Lease one of the flats to a deputy warden for the site

The Chair stated that this request was within her Ward. Although contentious at the time the change from a Rectory to apartments had proved to be a tremendous success but to her knowledge there had never been flats designated to a Warden or Deputy Warden, and as such she moved the revision of the S106 agreement.

Cllr Wyatt seconded the proposal.

On being put to the vote the application was approved unanimously.

DETERMINATION: to agree to the amendments to the existing s52 agreement by means of a deed of variation under s106 of the Town and Country Planning Act 1990.

D34. The Old Brickyard Scalford.

The Chairman invited members to discuss whether or not the papers relating to the Old Brickyard should be discussed without members of the public being present and asked the Solicitor to the Council to outline the reasons for the publication of the Exempt Report.

Cllr Illingworth stated that he had read the report and felt that some options available to the Council required the item to be exempt in order not to prejudice future decisions made, therefore he proposed to make the item exempt.

Cllr Wyatt seconded the proposal.

On being put to the vote the application was approved unanimously.

The Chair asked then whether the public should be excluded from the debate.

Cllr Botterill proposed that they should be in this case.

Cllr Wyatt seconded the proposal.

On being put to the vote the application was approved unanimously.

Cllr Holmes, speaking from the floor, pointed out that many members of the public had come to hear the debate.

The Chair thanked Cllr Holmes and noted her comments.

D35. URGENT BUSINESS

There was no urgent business.

The meeting which commenced at 6.02 p.m. closed at 7.20 p.m.

Chairman