



MEETING OF THE  
DEVELOPMENT COMMITTEE

Civic Suite, Parkside

26 April 2012

PRESENT:

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

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

---

D86. APOLOGIES FOR ABSENCE

Cllrs J Moulding, E Holmes J Illingworth and T. Moncrieff.

D87. MINUTES:

Approval of the Minutes of the Meeting held on 5<sup>th</sup> April was proposed by Cllr Baguley and seconded by Cllr Gordon. The committee voted in agreement. It was unanimously agreed that the Chair signed them as a true record.

There were no matters arising from the minutes of 5<sup>th</sup> April 2012.

D88. DECLARATIONS OF INTEREST

12/00106/OUT Cllr Chandler stated that although she was a member of the Committee & Social affairs Committee, she had left the meeting prior to any discussion relating to the former garages site.

**RESOLVED** that the undermentioned 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.

## D89. SCHEDULE OF APPLICATIONS

- (1) **Reference:** 12/00095/FUL, 12/00096/FUL, 12/00097/FUL  
**Applicant:** Mssrs King, Coffey & Dunn  
**Location:** 72 Grantham Road, Bottesford  
**Proposal:**
- **Variation of plot type C previously approved under 11/00288/VAC and**
  - **Variation of plot type B previously approved under 11/00358/VAC**
  - **New shared private drive entrance to serve plots A,B and C – replacing original approval 06/00026/FUL and new double garage to serve plot A.**

(a) Head of Regulatory Services stated that:

- All 3 applications sought to achieve the same thing – redirection of the access to the site from existing arrangement onto Grantham Rd, to a side entrance of the site onto Easthorpe View and garage behind nos. 1 and 2 Patchetts Close. The VAC applications (95 and 96) are required as condition on the original permission required compliance with the access arrangements their plans showed.
- Update : additional representation from a resident of Easthorpe View and also his response to the report
  - Other changes on the site are not included on the plans (boundary treatment etc)
  - The application seeks permission to achieve what was originally found to be unacceptable
  - The application is necessary only because the works could not qualify as permitted development
  - Concern that the construction of the garage may be delayed; conditions do not address this concern
  - Development may increase flooding as it involves raising land levels in the flood plain; flooding issues are not addressed in the Committee report.
  - The new arrangement will mean the previous ones will not need to be built – it will be a change of use to garden
  - The driveway may have the appearance of a car park, conditions could be used to screen the appearance for the benefit of residents.
  - Plot A keep a caravan which will take up much of the parking spaces created

- Visitors may be attracted to park in Easthorpe view
- More vehicles will be entering Grantham Road from Easthorpe View.
- The access should be symmetrical to improve its appearance

Officer response to these comments:

- The application does not propose any variation to the boundaries of the properties
- The location of the access is not in the floodplain (zones 3a or 2) as established by the Environment Agency and in any event is of a nature that the Environment Agency does not seek to be consulted upon under the law.
- The plans indicate the approved parking facilities (to the rear of plot A) will no longer be constructed. However, being domestic in nature no change of use will be involved in using this land for garden purposes.
- There is no restriction upon the type of vehicles that we, as householders, may bring to our homes, so long as they do not result in a change of use.
- The Committee is at liberty to impose conditions as it sees fit and is free to amend the condition to require a timetable for the surfacing and/or garage. This is also true for screening, and the shape of the access, but Members are reminded that if they do so they need to be satisfied this is 'necessary' (n.b. not desirable) meaning that without them permission should be refused.

No changes to recommendation.

Cllr Chandler, Ward Councillor stated that:

- She would like to see a timetable for the construction of the proposed garage
- Shrubs would be useful to screen the development

The Head of Regulatory Services confirmed that condition 8 could accommodate the inclusion of a timetable for building the proposed garage. A condition for landscaping such as screening can be added also.

Cllrs agreed that the access position in this application was an improvement on the previous proposals.

Cllr Simpson agreed and **proposed to permit** the application adding that a condition should be added for landscaping and a timetable be put in place for the construction of the garage. It was agreed after debate that the garage should be constructed within 6 months of occupation of the dwelling.

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

The Head of Regulatory Services confirmed the wording of the proposed conditions with the Members.

A vote was taken: 6 in favour of approval and 1 abstention. The Chair asked for her abstention to be noted.

**DETERMINATION: PERMIT (all 3 applications), for the following reasons and subject to additional conditions:**

The proposed access and parking complies with Highways standards subject to conditions and will not adversely affect the amenity of the neighbouring dwellings. The proposed garage will not have a significantly negative impact upon the occupiers of Patchett's Close by virtue of its massing and design and will contribute to the off street parking available in the area.

Whilst there are issues surrounding the ownership of the land, the applicant has satisfied the legal requirements, insofar as the advertisement in the Local Press. The proposal is in accordance with policies OS1 and BE1 of the Melton Local Plan.

**Conditions:**

Within 1 month of the date of this permission, details of screening of the site to be provided along its east boundary shall be submitted for the approval of the Local Planning Authority. The screening shall be implemented in accordance with the approved details within 2 months of their approval, unless otherwise agreed by the Local planning Authority.

The garage shall be constructed within 6 months of the first use of the access hereby approved.

- 
- (2) **Reference:** 12/00128/FUL  
**Applicant:** Melton Mowbray Town Estate  
**Location:** Asfordby Road Sports Ground, Asfordby Road, Melton Mowbray  
**Proposal:** Extension and refurbishment of existing building to provide reception, toilets and changing rooms, golf retail area, cafe and multi use community room. Extension of existing camping and caravan facility to provide 50 pitches. Provision of 2 no all weather tennis courts and improvement to existing access and car parking.

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

This application seeks approval for the expansion to an existing golfing facility and to operate as a certified caravan site. The application proposes to extend and improve the existing facilities by providing a golf retail area, café and multi use community room, two tennis courts and to expand the certified caravan site to provide 50 pitches. The site lies in the open countryside just outside the town envelope.

There are no updates to report on this application.

Request amendments to condition 10 to include timings of lighting.

The application is proposing a mixed use scheme on the outskirts of Melton Mowbray by expanding an existing facility. This application represents a balance between the conflicts of Local Plan Policy OS2, the Core Strategy and the NPPF. In relation to this application the proposed leisure facilities are considered to benefit the area and the existing golfing facility. The application is also considered to comply with the objectives of the LDF and the NPPF. The site is located close to the town and is not considered wholly unsustainable to warrant a refusal. Therefore the proposal is recommended for approval as set out in the report.

Cllr Baguley **proposed to permit** the application as she felt it will generate economic benefit to the borough.

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

Cllr Botterill stated that this development would be useful to the community and encourage tourism.

Cllr Cumbers supported the proposal but noted concerns regarding the number of caravan pitches.

Cllr Douglas asked for confirmation regarding the provision of hot food in the proposed café.

The Applications and Advice Manager confirmed that there was no intention from the applicant to prepare hot food on the site.

Cllr Cumbers asked that there might be a condition to require the provision of toilet facilities before the site becomes operational.

Cllrs Baguley and Simpson agreed to this proposal.

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

**DETERMINATION: PERMIT, for the following reasons and additional conditions;**

The proposal relates to the expansion of an existing facility in the open countryside. As such Melton Local plan policy OS2 seek to resist development unless it is limited small scale development for employment, recreation and tourism which is not detrimental to the appearance and rural character of the open. The proposal is considered to be sensitive to its rural location, has satisfactory access and parking provisions and will not have a detrimental impact upon residential amenities. The proposal is not considered to be small scale and is therefore not compliant with the

development plan however the NPPF supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. It is considered that the emerging policy should in this instance outweigh the development plan. The proposal is therefore considered to meet the requirements of the NPPF subject to the conditions above relating to safeguarding the character and appearance of the area.

**Conditions:**

Prior to commencement of the development hereby approved details of all proposed floodlighting and other external illumination, including their hours of use, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

No caravans shall be accepted on the site until the toilet, washing up and shower facilities have been constructed and are available for use in accordance with plan no. 6538p-3A hereby approved.

- 
- (3) Reference: 12/00106/OUT**  
**Applicant: Melton Borough Council**  
**Location: Garages between Greaves Avenue and Eastfield Avenue, Greaves Avenue, Melton Mowbray**  
**Proposal: Housing development of up to 4 two storey houses.**

(a) The Applications and Advice Manager (JW) stated that:  
This application seeks outline planning permission for the principle of residential development with all matters reserved. The site relates to former council garages within an established residential area in the town envelope.

There are no updates to report on this application.

The application has been submitted with an indicative layout showing how 2 pairs of semi-detached properties could be accommodated within the site. However, all matters are reserved and this application relates to the principle of residential use on the site. The application site lies within the town envelope and thus benefits from a presumption in favour of development. It is considered that the site is capable of being developed without compromising the existing residential amenities of neighbouring properties. A suitable access, although not fully compliant with the Highway Authority's standards, is available and given its previous use as garaging there would be a decrease in vehicle movements which is considered to be a highway gain and not give cause to have a detrimental impact upon highway safety.

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

(b) The Head of Communities and Neighbourhoods on behalf of the applicant, was invited to speak and stated that:

- He was happy with the conditions proposed by the planning department
- The application fits with key policies in the local plan

Cllr Simpson could not find any problem with the application and **proposed approval of the application.**

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

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

**DETERMINATION: PERMIT, subject of the conditions set out in the report, for the following reasons;**

The application site lies within the town envelope and thus benefits from a presumption in favour of development under policies OS1 and BE1. The site is capable of being developed without compromising the existing residential amenities of neighbouring properties. A suitable access, although not fully compliant with the Highway Authority's standards, is available and given its previous use as garaging there would be a decrease in vehicle movements which is considered to be a highway gain and not give cause to have a detrimental impact upon highway safety.

- 
- (4)   **Reference:**     **12/00188/FUL**  
      **Applicant:**    **Mrs S Johnson**  
      **Location:**    **Pile Bridge Farm, Wymondham Road, Saxby,**  
                      **Melton Mowbray LE14 2SL**  
      **Proposal:**    **Stable block, ménage, horse walker and**  
                      **change of use to equestrian.**

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

This application seeks planning permission for the change of use of land for the keeping of horses, along with a ménage, stable block and horse walker. The application lies within the designated open countryside.

There are no updates to report on this application.

The application is reported to committee as it represent a departure from Local Plan polices C4 and C5. However, Policy OS2 does support small scale recreational use. This application requires a judgment as to whether the proposal is acceptable in terms of its impact on the open countryside sufficient to outweigh the development plan. In considering this application there is suitable access arrangements, is of appropriate design and would have no impact on neighbouring properties. The proposal is also considered to have limited impact on the open countryside. Accordingly, the application is recommended for approval as set out in the report.

Cllr Baguley considered the conditions to be appropriate and **proposed to permit the application.**

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

The Chair agreed that the conditions suggested in the report were sufficient.

Cllr Cumbers stated that she was against development in the open countryside and could not support the application.

Cllr Botterill noted that the development would not be very visible but the passing trains may spook the horses.

A vote was taken: 6 in favour of approval and 1 abstention.  
Cllrs Cumber asked for her vote of abstention be recorded.

**DETERMINATION: PERMIT, for the following reasons:**

The proposal is not considered to comply with policy C4 as the proposed buildings are not sited within an existing group of buildings, however OS2 supports small scale recreational development in the open countryside. It has been demonstrated that the site will have adequate access arrangements, is of appropriate design and will have no neighbour impact. It is not considered that this small scale development would have a detrimental impact upon the countryside as the siting below two embankments ensures that the intrinsic character is not harmed. It is considered that due to the limited impact the proposal would have on the open countryside that the proposal complies with OS2 and is sufficient to outweigh policies C4 and C5 of the development plan.



- (5) **Reference:** 12/00078/FUL  
**Applicant:** Mr Paul Shaw  
**Location:** Plot 2, Manor Farm, Towns Lane, Goadby Marwood  
**Proposal:** Amendments to new single storey dwelling to plot 2 forming part of previously approved applications 08/00019/FUL; 08/00454/FUL and 10/00383/FUL

(a) Head of Regulatory Services stated that:

No additional comments.

Key issue is whether the Committee considers the garden room projecting beyond the Village Envelope is harmful to the countryside. Officers' view is that it would not because of its discrete location and that the land concerned is garden area currently.

(b) Mr Shaw, the applicant, was invited to speak and stated that:

- He spent a lot of time on the design of the development but as building work started it became clear that there was an opportunity to improve the design and this amendment reflects this,
- Particular consideration was given to the use of low carbon technology and materials in the development.

Cllr Botterill, Ward Councillor for the area stated that he was pleased with the development and **proposed to approve the application.**

Cllr Baguley agreed it was a good design and **seconded the proposal to approve the application.**

Cllr Simpson stated that although the development does go beyond the village envelope she felt it was not a harmful encroachment on the countryside.

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

**DETERMINATION: PERMIT, for the following reasons:**

Planning permission currently exists for the site. The changes proposed seek approval for a small alteration in the footprint of plot 2 along with some window and door alterations and reduction in roof height to the property. The addition to the north-east encroaches beyond the village envelope by a further 3.1 metres. However, it is not considered that this extension would encroach upon the undeveloped countryside. It is considered that the proposal would not have a detrimental impact on either residential amenity or the streetscene and satisfactory access

---

**(6) Reference: 12/00159/FUL**  
**Applicant: Mr Duncan Manderson**  
**Location: Pickwell Grange, Oakham Road, Leesthorpe**  
**Proposal: Domestic garage with storage over**

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

This application seeks planning permission for the construction of a domestic garage with store above. The site is located in the open countryside.

Cllr Barnes, Ward Councillor for the area, has stated that he has no concerns with the application.

The main issue with this application is whether the application would impact on the open countryside. It is not considered that the proposal would adversely impact on the open countryside and accordingly the application is recommended for approval as set out in the report.

(b) Mr Manderson, the applicant, was invited to speak and stated that:

- He appreciated the site visit by the Members
- He was happy with the officer's report

Members stated concerns that the proposed garage was very large and even though it cannot be easily seen from the road it was visible from the surrounding area. The height of the roof was a particular concern, however; it was accepted that a pitch would be preferable to a flat roof design.

The Applications and Advice Manager replied that the proposed building footprint already has approval (from a previous application) and it is the change in height of the roof that has brought it before the committee. She drew attention to Policy OS2 and specific policy relating to domestic development in the countryside (policy C11). She asked that Members consider the balance of harms and concerns in light of these policies.

Cllr Gordon stated that the design is in keeping with the other buildings in the curtilage and **proposed approval of the application.**

Cllr Douglas acknowledged that the building will be visible from the surrounding area but agreed that a pitched roof would be more in keeping and **seconded the proposal to approve the application.**

The Chair stated that she was unhappy with the proposed pitch of the garage.

A vote was taken. 2 voted to permit, 4 voted against and 1 abstained.

Cllr Chandler (the Chair) **proposed an amendment of refusal of the proposal.**

Cllr Botterill **seconded the amendment.**

A vote was taken. 4 voted in favour of the amendment, 2 voted against the amendment and 1 abstained.

**DETERMINATION: REFUSE, for the following reason;**

The proposed development, by virtue of its scale and height, would be detrimental to the character and appearance of its countryside location and would be contrary to Policy C11 of the adopted Melton Local Plan.

---

D90. URGENT BUSINESS

The meeting commenced at 6:00 p.m. and closed at 6:50 p.m.

Chair