



MEETING OF THE
DEVELOPMENT COMMITTEE

Civic Suite, Parkside

20 February 2013

PRESENT:

P.M. Chandler (Chair), P. Baguley,
P. Cumbers J. Douglas, A Freer-Jones
M. Gordon, E. Holmes, J Simpson, J Wyatt, G Botterill,

Observer Councillor – D Wright

Head of Regulatory Services, Planning Officer (DK)
Solicitor to the Council (MP), Planning Policy Officer (PG)
Administrative Assistant (JB)

D75. APOLOGIES FOR ABSENCE

Cllr T Moncrieff

D76. MINUTES

31 January 2013

Cllr Gordon noted the first paragraph (D70) should omit the word 'if' in order to correctly reflect the discussion.

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

D77. DECLARATIONS OF INTEREST

Cllr Chandler and Cllr Botterill declared a prejudicial interest in application no. 12/00676/FUL. They left the meeting at 18:05

Cllr Cumbers took the Chair.

D78. SCHEDULE OF APPLICATIONS

- (1) **Reference:** 12/00676/FUL
Applicant: Mr M Woods
Location: Barn Lodge Farm, Saltby Road, Croxton Kerrial, NG32 1QG
Proposal: **Erection of 4 poultry units, 8 feed silos, formation of private service carriageway and landscaping**

(a) The Head of Regulatory Services stated that:

No updates to provide.

The key issues are considered to be:

- Traffic - additional vehicles using Saltby Rd. These have been quantified as 5 per day which it is considered are acceptable on the surrounding road network.
- Waste disposal, particularly in respect of the transportation of waste: in this respect the applicants have explained that it will be transported to a remote location and have accepted a condition that it must be covered during transportation to prevent spillage and odours.
- Visual impact – the poultry houses are large but given their distance from local residences and the scope for screening, it is considered they will not detract from the character of the countryside.

(b) An objector, Mrs Ardizzone was invited to speak and stated that:

- She did not object to increasing capacity but this development would be detrimental to houses in the village especially those along the A607
- Recent housing development in the village has increased the amount of local traffic and both amenities and houses are positioned on both sides of the already very busy road
- The location of the village on a hill reduces visibility and increases danger
- As the road is narrow there is nowhere for people to avoid incidents should they happen
- Although a 30mph speed limit is in place there is no enforcement of this and speeding occurs
- The villagers would like to see a decrease in traffic through the village not an increase especially of HGVs as the road is narrow
- There is concern about the waste and smell from the site
- Suggested a less disruptive site located further away from the village could be found.

(c) The agent, Mr Grundy was invited to speak and stated that:

- There is a strong market for UK poultry
- An established chain of demand has increased

- Farms like this underpin the rural economy
- 3 full time jobs will be created and wider employment will be supported
- Central Government places great importance on improving the rural economy
- Measures have been taken to reduce the impact of the development such as siting and landscaping
- Reports indicate that other possible issues are limited and will not cause nuisance
- It is sustainable development that is supported by local and national policy

(d) Mr Hawkes on behalf of the Parish Council (PC) was invited to speak and stated that:

- Many objections received by the PC had been noted in the officer's report
- Particularly concerned about the traffic movements onto a narrow village road
- A traffic assessment should be carried out as the figures provided by the applicants indicate an increase above the 5 vehicles a day they state.

The Head of Regulatory Services replied regarding traffic: there are no prescribed rules stating when a traffic assessment is required he believed that the increase in traffic will not be a significant amount to warrant one. 5 extra vehicles a day will not be significant on the A607. The applicant supplied the County Highways department with traffic projections and their findings are in the officer's report. Regarding odours: the reports supplied by the applicant indicate that the distance from the farm to dwellings is sufficient and by covering the waste materials during transit odour nuisance will not arise.

Cllrs discussed the A607 and its junction to Saltby Road agreeing that it could be busy at times and whether a traffic assessment was necessary. Duration and location of waste storage was discussed. The Head of Regulatory Services noted that waste would be stored some 3 or 4 miles from the village and covering the waste during transit would mitigate odour.

Cllr Baguley believed that less traffic would be generated by poultry units than other agricultural uses and that a traffic assessment would not be required. She **proposed to approve the application.**

Cllr Wyatt agreed with Cllr Baguley and **seconded the proposal to permit the application.**

Cllr Holmes disagreed and **proposed to defer the determination** to request that a traffic assessment is undertaken.

Cllr Freer-Jones **seconded the proposal to defer.**

A vote was taken to defer the application determination: **3 in favour, 5 against.**

A vote was taken to permit the application: **5 in favour, 0 against and 3 abstentions.**

DETERMINATION: PERMIT, in accordance with the content of the Committee report, for the following reasons:

The proposed agricultural building is considered to comply with the objectives of the relevant development plan policies. The NPPF seeks to support rural sustainable development and is in conformity with the development plan. The buildings are purpose-designed for agricultural use and are sited so as to minimise the visual impact on the locality. The buildings are sufficiently far from neighbouring dwellings as to minimise any potential for adverse impacts upon their residential amenities. The access and parking arrangements are considered to be adequate

Cllrs Botterill and Chandler returned to the meeting at 18:35. Cllr Chandler returned to the Chair.

- (2) **Reference: 12/00497/FUL**
Applicant: Belvoir Fruit Farms Limited
Location: Vale View, Barkestone Lane, Bottesford
Proposal: Change of use of existing agricultural store to relocate existing process; also production unit including demolition of existing dwelling.

(a) The Head of Regulatory Services stated that:

An additional objection has been received, on the grounds that:

- Barkestone Lane is a quiet rural road with minimal usage & is going to be transformed into a busy HGV road with the increased risk of casualties. It is currently a quiet road with low usage by HGV vehicles and has frequent use by walkers cyclists and horse riders many of them families.
- The road is single track and is not fit or wide enough for large movements of vehicles.
- Eadys Farms vehicular movements during their peak oil seed season increase as would be expected during harvest time and are spread over no more then a few weeks. The increase in farm machinery over this period is a seasonal and agricultural necessity as I am sure all local people would agree and do not mind seeing the large tractors and HGVs for this time period.
- Belvoir Fruit Farms HGVs usage will be daily throughout the year peaking during rush hours. Walkers, cyclists and horse riders will be competing with HGV traffic and will be put off using this rural road.
- The provision of passing bays will only increase the usage of this straight road.
- It is unrealistic to claim that the majority of staff will travel by train to Bottesford and then walk/cycle to work. To do this the A52 will have to be crossed. The A52 is a fast busy road with no pedestrian bridge or formal footway provision.

- Whilst there have been no accidents recorded in the past, if the proposal is granted there will be and unfortunately they will increase.
- From living within the village of Bottesford for 13 years and running a business that boundaries the A52 and has land on Barkestone Lane we are well aware of the traffic and speed of the road. Within the near future we too will be living and working on Barkestone Lane with three young children and will be competing with these HGVs to get our children to school in Bottesford.
- The staff members that will have to cross over the A52 to get to work will struggle to be able to cross safely at peak times without the provision of a footbridge.
- Doubts as to how many of these staff members will actually be using the train. We feel they will choose to travel by car for their own safety, hence increasing the traffic on Barkestone Lane.
- As a local business who use the road we minimise its usage and would always seek to avoid turning into the junction from either direction at peak hours.
- one vehicle every 5 minutes will be using the junction/road is low but is much more than current usage and is a great increase.
- as the business expands in future the current employee levels will inevitably continue to grow which in turn will increase movement to and from the factory which obviously means more traffic
- For the village of Bottesford to be supported the business needs to be within Bottesford, not across the A52.

Key issues are considered to be **road safety, noise affecting the adjacent dwelling and the sustainability of the location**. Taking each in turn:

Road safety: highways have advised that because visibility is good, passing bays will be effective in Barkestone Lane to avoid conflict between road users. (see page 4 of the report). A scheme needs to be developed because of the ditches but the Highway Authority is satisfied one is possible (Condition 6 refers). The junction with the A52 is a concern. However, the Highways Agency consider the quantity to be immaterial and therefore not a threat to road safety.

Noise disturbance: extensive analysis has gone into the noise issue and the EHO is satisfied that the noise from the processes inside the factory can be contained through insulation measures built into the building. However, these would not control noise from vehicles and conditions 17 and 18 are proposed to ensure these will not occur when other noise sources have subsided, or in unsociable hours.

Sustainability: the site is isolated and it is recognised meets few of the definitions of sustainable development, except for its brownfield nature. However there are a number of factors that also need to be taken into account on this subject which make the judgement more complex than simply its location. We have been influenced by (a) its proximity to some raw materials, which will eliminate their transportation; (b) the fact that the current location near Redmile is also isolated, so this is not the first introduction of the business into an unsustainable location and there is a large element of displacement and (c) the advice in NPPF regarding the encouragement of rural businesses (see page 3 of the report where this is quoted).

(b) Mr Anthony, an objector was invited to speak and stated that:

- He lives in the house immediately adjacent to the site
- The proposal will change the site from an agricultural use to a full scale factory
- Noise from fork light trucks, compressors and glasses is the main concern
- The footprint will be 3 times bigger than what is currently on site and traffic will greatly increase due to the introduction of the offices.
- 2 people have been killed on the A52 near the junction with Barkestone Lane; this is a very busy and dangerous road. HGVs and other vehicles may have to turn left onto the A52 due to difficulty turning right and therefore have to turn through the village
- No new jobs are created as people are moving from other sites to work here
- The site is not sustainable; employees will not be using the bus or train service as they are not nearby
- This type of development would be better suited in other places, perhaps nearer the town
- The development in contrary to local policy and will set a poor precedent.

(c) The applicant, Mr Manners was invited to speak and stated that:

- The company needed room to grow due to a necessary expansion in production
- The business has grown over last few years and employment has also increased from 20 to 49
- The site offers benefits in that it; is near to employees, has a local source of flowers, is in the Vale of Belvoir, land is already in ownership of business and position offers opportunity to lay more permanent roots for the equipment and business as a whole
- Considering an increase in product lines which will result in more jobs
- Sustainable development; renewable energy production, rain water harvesting and better central position
- Soundproofing of the facility has been a priority
- HGV movements will be 2 or 3 a day when completed

The Head of Regulatory Services replied that the Council's Environmental Health Officer had taken several noise measurements and calculated how the proposed insulation will reduce the noise and mitigate its impact. Vehicle movements will increase noise from the site and therefore conditions have been put in place to reduce that impact. Should any excessive noise result from either the new building or vehicle movements Environmental Health can take action to reduce it.

Members discussed the expansion of the successful business and commended its employment and growth. Members wanted to address the issues raised by Mr Anthony. Concerns were raised about the location of the parking and skips on site and passing places along Barkestone Lane. The Chair asked that Condition 5 be enforced before other construction on site.

The Head of Regulatory Services replied that the condition could be worded to reflect the Chair's concerns and pointed out the siting of the parking, skips and direction of vehicle movements to minimise reversing beepers. He also stated that

the Highways department would take action should issue arise with road safety.

Cllr Botterill was pleased with the growth of the business and stated that the business was part of the Borough's proud food heritage. He believed that modern businesses of this kind require modern machinery and that the junction from Barkestone Lane to the A52 offered suitable visibility. He **proposed to permit the application.**

Cllr Baguley **seconded the proposal to permit the application** stating that all roads could be dangerous but that the A52 will cope with the extra vehicles at the junction.

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

DETERMINATION: Approve, in accordance with the recommendation in the report, for the following reasons:

The proposal would be contrary to Policy OS2 of the adopted Melton Local Plan. However, the development would relocate a rural employment site within the Borough in a more sustainable location and would create local employment. Accordingly, the use would occupy previously developed site, would not represent a significant intrusion into open countryside and would not introduce traffic that would be dangerous to highway users. The NPPF encourages the support of economic development including enterprises in the rural locations (para 28). In view of the nature and background of the site, it is considered that the advice of the NPPF is sufficient to outweigh the policies of the adopted Local Plan and permission is justified.

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- (3) Reference: 12/00864/OUT
Applicant: Mr Allen and Mrs Jopling
Location: Daliegh Cottage, 5 New Street Scalford, LE14 4DP
Proposal: Outline application for 1 Chalet type two bedroom dwelling.

(a) The Planning Officer stated that:

This application seeks outline planning permission with all matters reserved for the erection of a Chalet style 2 bed detached dwelling on land within the Village Envelope to the rear of no 5 and 7 New Street. Parking is to be retained for use of occupiers of no. 5 and 7 and provide the required parking for the new dwelling. It is considered that the main issues relating to the proposal are:

- Impact upon the Character of the Area
- Impact upon Neighbouring Properties

- Impact upon Highway Safety

Indicative plans have been provided and show the dwelling to be of 1½ storey scale with two bedrooms contained within the roof space. The design is considered to be acceptable and would not have an unacceptable impact upon the character of the area.

However it is considered that a 1½ storey dwelling in the position shown on the plan has potential to have an adverse impact upon the occupiers of no. 8 New Street due to the separation distances falling below current guidelines. Whilst potential overlooking can be addressed within the design, the scale and mass along this boundary could create an overbearing impact and it is therefore suggested that a single storey dwelling would be more appropriate in this location, in front of a principle elevation.

The site is currently used for parking and an element of highway gain has been recognised through the realignment of the boundary wall along New Street which will improve the visibility out of the site. However the Highways Authority are resisting the proposal on grounds of highway safety as it is considered that New Street and the 2 junctions at either end are not suitable in design and width to accommodate extra traffic the proposal will bring and accordingly the application has been recommended for refusal.

There are no further updates.

(b) Mr Brewin, the agent was invited to speak and stated that:

- The site currently is neglected with some derelict buildings on it
- If approved a turning space and parking are to be provided on the site
- Splays will improve visibility from the site and will be an advantage on this section of road
- There have been no accidents on New Street to his knowledge.

Cllr Holmes - Ward Councillor for the area stated that she believed there was a gain to be found from having off street parking. She had received 13 letters of support and the Parish Council also support the application. She **proposed to approve the application**.

Cllr Botterill **seconded the proposal to approve the application** as he felt there was planning gain from the proposal and the development would tidy the site up.

Members agreed that the dwelling was well designed and the site would be improved by the proposal.

The Head of Regulatory Services reiterated the conditions for approval. Cllrs Holmes and Botterill agreed them.

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

DETERMINATION: Approve, subject to conditions as follows:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall begin not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall commence on the site until approval of the details of the "layout, scale, external appearance of the building(s), access and the landscaping of the site" (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority.
3. No development shall start on site until representative samples of the materials to be used in the construction of all external surfaces have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing.
5. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation.
6. The parking and turning facilities for number 5 and 7 New Street shall be constructed and made available for use prior to the first occupation of the dwelling, and shall remain free for use for this purpose on a permanent basis thereafter.
7. Notwithstanding the provisions of Part 2, Schedule 2 of Town and Country Planning General Development Order 1995 (or any order revoking or re-enacting that Order) no gates shall be erected to the vehicular access.
8. Drainage shall be provided within the site such that surface water does not drain into the Public Highway.
9. Prior to the first occupation of the dwelling the access drive shall be surfaced with tarmac, concrete or similar hardbound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary.
10. No work shall start on the dwelling until pedestrian visibility splays as shown on drawing no. 19092012-170V-1-ab are provided at the junction of the access with the highway. The splays shall be kept clear of any object, vegetation or other obstruction of a height exceeding 0.6m above the level of the highway.

For the following reasons:

The development affords the opportunity to provide additional housing that

meets the local identified need and subject to design is capable of respecting and contributing to the character of the area. The proposal affords adequate parking and access for future occupiers and has the added benefit of incorporating off street parking to nos. 5 and 7 New Street which is considered to be a highway gain given that New Street is a narrow road. As such, it is considered to be in accordance with the objectives of the applicable development plan policies and the NPPF. The applicant has demonstrated that the impact upon the highway would be negligible given that it is a two bedroom property on land that is currently used for parking of vehicles. The realignment of the boundary wall improves the visibility from the site and the proposal would not have a detrimental impact upon highway safety.

- (4) Reference: 12/00928/FUL
Applicant: Mr Phillip Booth
Location: 73 Grantham Road, Bottesford, NG13 0EG
Proposal: Construction of new single storey dwelling, including means of access and enclosure.

(a) The Head of Regulatory Services stated that:

Additional objection have been received as follows:

- The service road is not adequate to accommodate the inevitable additional traffic that this planning application would produce.
- The proposed development would have an immediate direct negative impact on the overall street scene. Presently all the houses are situated well back from the service road, with pleasant garden landscapes along the full length of the present housing line. This proposal will completely change this rural characteristic - immediately giving rise to housing development within a green field space (the garden).
- The building of a bungalow in the garden of 73 Grantham Road will have an adverse effect on the other residents along the service road.
- The building of a bungalow in the garden of 73 Grantham Road would create a planning precedent that could lead to Melton Borough Council being presented with future similar applications by other residents.

A further objection from neighbour who has already written:

- concerned that a reason for the recommendation is that there is need for bungalows
- No dispute that there may be such a housing need but this should not to allow 'garden grabbing' by permitting building in gardens that are now officially designated as 'green field sites' not a 'brown field sites'.
- If this application were to be accepted it would set a very 'dangerous' precedent

- there are already five such bungalows for sale within the village - with prices ranging from £165,000 to £225,000.
- Given the time that at least some of these five have been on the market, there is no evidence that there is currently a high, unmet, demand for this type of property within the Bottesford.

The Head of Regulatory Services advised that he agreed with the objectors that the main issue here is the tension between housing need (generally and for the specific house type proposed) versus the street scene. We were persuaded to recommend approval because the site is sustainable, in the village envelope and a house type for which there is identified need and because – whilst recognising the breach of the building line described by commentators – we considered this would not be particularly harmful. We believe this because the plot is located close to the point where the pattern of development departs from the linear layout that stretches to no 99 to the east and because the visibility of the site is compromised by hedges and vegetation along the road side and in other plots, and because the plot itself has a different character from many others in the row. In combination, we feel these factors distinguish the plot from the overall prevalent pattern in the area, and reduces the harmful effects of stepping in front of the building line.

Mr Colchester, an objector was invited to speak and stated that:

- This is tandem development and contrary to OS1
- It is a poor design which will damage the character and appearance of the area
- It will adversely affect existing dwellings due to increased vehicle movements and light
- No73 is a higher level and will overlook the proposed dwelling
- This would set a poor precedent, damage an attractive landscape and possibly double the number of dwellings if other follow suit
- The proposal is overbearing and not in keeping with the area
- The adjoining service slip road is narrow and has no footpath, it is used by families and an increase in traffic would not be good
- There are many empty properties in better positions
- Gardens are not brown-field sites.

(c) Cllr Wright, Ward Councillor for the area, was invited to speak and stated that:

- The application is supported by many policies but would cause a loss of amenity to immediate neighbours
- It is out of character with other dwellings and would set a poor precedent
- It is contrary to OS1 and BE1 and a poor design

The Head of Regulatory Services replied regarding housing supply quoting findings that insufficient numbers of smaller dwellings were available due to decades of building mainly larger dwellings.

Members discussed concerns about the design and position of the new dwelling and

that the proposal was out of character with the area.

Cllr Holmes **proposed refusal of the application** quoting policies OS1, BE1 and parts of the National Planning Policy Framework regarding good design.

The Head of Regulatory Services confirmed the reasons for refusal.

Cllr Freer-Jones **seconded the proposal to refuse the application.**

Cllr Gordon disagreed, stating that the dwelling would not be out of place with the other properties. She **proposed to approve the application.**

No seconder came forward.

A vote was taken: 9 in favour of refusal, 1 against.

DETERMINATION: Refuse, for the following reason:

The proposed dwelling, by virtue of its positioning forward of the established and coherent building line formed by the layout of nos 73 - 99 Grantham Road, would be out of keeping with the form and character of the area, to the detriment of its character and appearance. Accordingly, the development would be contrary to policies OS1 and BE1 of the adopted Melton Local Plan and guidance in the NPPF seeking to secure Good Design.

Cllr Wright left the meeting at 19:35

- (5) **Reference: 12/00429/FUL**
Applicant: Mrs Wendy Stirling
Location: The Wheel, 9 High Street, Waltham On The Wolds, LE14 4AH
Proposal: Erection of a single 3 bed dwelling

(a) The Planning Officer stated that:

The proposal seeks amendments to a scheme that was approved at appeal for the erection of a dwelling to the rear of no 9 High St, 'The Wheel'. The extant planning permission sought to convert the existing outbuilding and extend to create a dwelling and it is now proposed to only convert part of the existing outbuildings and build an L-Shaped dwelling at 1 ½ scale. Parking and Access remains unchanged to that approved at appeal. The application has been presented to committee as the decision recommends a departure from the local plan policy BE12 which seeks to restrict development on designated Protected Open Area.

It is considered that the main issues are whether the increase in footprint impacts unduly on the protected open area designation and whether there is any adverse impact upon neighbouring properties through the addition of the northern wing.

The application of policy BE12 has been tested at appeal on this site and it is therefore considered that there is strong justification to permit the application as a departure from Local Plan policy, on the same basis as the appeal.

Amendments were submitted to reduce the overall length and height of the north projection to remove the impact upon the occupiers of no. 1 church Lane.

Since publication of the committee report a further letter of objection has been received in regards to the amendments submitted to address design concerns.

The objections received relate to

- loss of privacy to nearby occupiers.
- lack of appropriate off road parking provisions leading to congestion and traffic problems on High street and
- overcrowding on the site.

The matters relating to impact upon neighbours and highways are addressed within the committee report. In regards to the overcrowding concerns the site has extant planning permission for two dwellings to be built on this site. This proposal seeks to revise the house type for plot 1 only and does not introduce any further development on the site.

The applicant has also written in seeking clarification for the need of condition 6 building out of the pavement and condition 8 the need to provide a programme of archaeology. It is stated that neither condition was imposed with the decision issued by the Inspector and question the reasonableness to impose them now.

In regards to the highway improvements the highways have revised their advice given that the permission granted on appeal can be implemented without any improvements. The improvements are secured through the implementation of the planning permission for plot 2 which is considered to increase the traffic movements from the site and in the interest of highway safety is necessary. It is therefore recommended that condition 6 be deleted.

In regards to the requested archaeology condition 8 it is considered that the proposal is more intrusive than that granted at appeal and the condition should remain in the interest of preserve any archaeology remains.

The application is recommended for approval in accordance with the Committee report with an amendment to the conditions to have condition 6 removed.

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

- The new proposals are a significant improvement to the approved plans
- The proposal will reduce the risk of flooding and improve level access to the dwelling
- The design is more in keeping with the character of the area and has a minimum impact on neighbouring properties
- The revised plans are a better use of space
- The measurement between existent dwellings and the proposed are within

permitted distances

- This part of the garden is not visible to neighbours currently and the new plans will not impact them
- There is no changes to the access from High Street from the approved plans

Members expressed concerns about the access to the site from the narrow road and the parking provision. They were disappointed that the Inspector had approved building on a Protected Open Space at appeal. They asked that Permitted Development Rights could be removed from the site as a condition should the application be approved. Members asked for clarification as to the reasons for the removal of condition 6.

The Planning Officer pointed out the changes in the revised plans from the approved plans noting that the revised plans would be an improvement on the previously approved plans. Condition 6 would be removed as the Inspector's decision would deem it unreasonable.

The Head of Regulatory Services agreed that the Permitted Development Rights could be removed as a condition of approval.

Cllr Wyatt **proposed to approve the application** with Permitted Development Rights removed.

Cllr Gordon **seconded the proposal to approve the application.**

A vote was taken. 5 voted to approve the application, 3 voted against approval and 2 abstained.

DETERMINATION: Approve, in accordance with the recommendation in the Committee report EXCEPT condition 6 (access improvements), for the following reasons:

The application site lies within the Village Envelope for Waltham where there is a presumption in favour of development under Policy OS1 and H6, but is also subject to a BE12 designation as a Protected Open Area. However, the application of this policy has been tested at appeal and it is considered that a form of development similar to the proposal in terms of use, design and location and was approved. The appeal decision is a material consideration and it is considered that the proposal is so similar in nature and detail, that the findings of the appeal apply equally to this scheme. Accordingly, it is considered that there is strong justification to permit the application as a departure from Local plan policy, on the same basis as the appeal.

(6) Reference: 12/00853/FUL
Applicant: Mr and Mrs D Swallow

Location: Windy Ridge 34 Harby Lane Plungar NG13 0JH

Proposal: New replacement dwelling with garage to include demolitions

(a) The Planning Officer stated that:

The application seeks planning permission for demolition of the existing dwelling and all outbuildings/garages and stables from the site to replace with a larger, modern 2 storey dwelling and detached garage.

The site lies outside of the village envelope for Plunger and the main issues for consideration is whether the replacement dwelling complies with the local plan policy C12 which seeks to ensure that replacement dwellings are of similar size and scale to that it replaces and in character with its surroundings, and that there is a lawful residential use.

The existing dwelling is currently vacant and whilst in need of upgrading is capable of habitable living. The new dwelling is much larger than the existing dwelling on the site however when taking the collection of buildings on the site as a whole the overall footprint is comparable.

The new dwelling will be constructed to comply with Life Time Homes and using sustainable development techniques which would reduce its impact upon the environment and meet the needs of future generations.

Whilst the modern design is not reflective of the local style of the village it is considered to enhance the overall appearance of the site and it is considered that the landscape is capable of absorbing the development and that it will not have a detrimental impact upon the wider countryside location.

It is considered that the proposal would not undermine the objectives of C12 and accordingly it is considered that the proposal be allowed as a departure to the local plan as recommended within the committee report subject to conditions relating to materials, landscaping and ecology.

(b) Jill Barlow, on behalf of the Parish Council was invited to speak and stated that:

- The replacement dwelling does not comply with Policy C12, the dwelling is not the same size as the previous residential dwelling and it is not in character with the surrounding area. Also, the existing and proposed are very different styles of building
- The PC believed that the site cannot be considered separate from the setting and the local character assessment should be considered
- Disagrees with the Officer's report and states that the design is not good or in keeping with the local character.

The Planning Officer replied that the site is in the open countryside and as such has no immediate context to draw character or design from. She went on to say that this would an improvement on the existing building.

Members discussed the Officer's report and questioned if the proposed dwelling would be larger than the existing dwelling it would be contrary to housing policy. The Members also discussed if the nearest village was classed as a sustainable village and if it could sustain a large dwelling such as this.

The Planning Policy Officer confirmed that Plunger was not classified as a 'sustainable village'.

The Head of Regulatory Services noted that some points raised by the Members would need further investigation and asked that the Members consider deferring the application in order to do this.

Cllr Wyatt **proposed to defer the determination of the application.**

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

On being put to the vote the Members agreed to defer the application unanimously.

DETERMINATION: Deferred to obtain additional advice on housing policy relating to the size of the proposed house.

- (7) **Reference:** 12/00926/FUL
 Applicant: Mr Duncan Manderson
 Location: Pickwell Grange, Oakham Road Leesthorpe
 Proposal: Domestic garage with storage over

There were no updates to report from previous refusal at the Development Committee.

Cllr Baguley **proposed to refuse the application.**

Cllr Simpson **seconded the proposal to refuse the application.**

A vote was taken. 9 voted to refuse, 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.

D79 OTHER REPORT

10/00951/FUL Appeal: Update.

The Members agreed that the report was acceptable.

The Chair **proposed to approve the Officer's recommendation.**

Cllr Freer-Jones **seconded the Chair's proposal.**

A vote was taken. 8 voted to approve, 2 abstained (Cllr Baguley and Cumbers wished for their abstentions to be noted).

DETERMINATION: That East Midlands Regional Plan Policies 26, 31 and 40 are included in the Council's defence of the reasons for refusal at the Inquiry.

D80. URGENT BUSINESS

Members discussed the most opportune dates for the 2 forthcoming site visits. It was agreed to hold the site visits on the same day as the Committee meeting.

The meeting commenced at 6.00 p.m. and closed at 8.20 p.m.