



DEVELOPMENT COMMITTEE

22 JULY 2010

P.M. Chandler (Chairman)  
G.E. Botterill, M. Barnes, P. Cumbers  
E. Holmes, T. Moncrieff, J. Wyatt

PRESENT:-

Head of Regulatory Services  
Principal Solicitor, Principal Planning Officer  
Planning Policy Officer (PG)  
Democracy Officer

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D10. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Illingworth, Moore-Coltman, Bagley and Sheldon.

Councillor Barnes gave an apology for late arrival to the Meeting.

D11. MINUTES

10/00352/FUL - Gilbert and Hall Limited (Page 11)

(a) Councillor Cumbers requested that the following sentence be removed from the Minutes due being a seconder for the motion to refuse :-

*(Councillor Cumbers requested that her vote against be recorded.)*

(b) subject to (a) above the Minutes of the meeting held on 1 July 2010 were confirmed and authorised to be signed by the Chairman.

D12. DECLARATIONS OF INTEREST

10/00250/FUL - A R Birch and Sons

Councillor Botterill declared a personal and prejudicial interest in the above application.

## D13. SCHEDULE OF APPLICATIONS

**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 Schedule of Applications and in the case of refusals for the reasons stated in the schedule.

### **10/00312/OUT The Old Clay Pit, Grantham Road, Bottesford**

The Head of Regulatory Services confirmed that this application had been withdrawn.

(Councillor Botterill declared a personal and prejudicial interest in the following item and here left the meeting.)

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- (1) Application : 10/00250/FUL**  
**Applicant : A.R. Birch and Sons**  
**Location : Field Number 0064, Buckminster Road, Sproxton**  
**Proposal : Install 23.6 metre high Wind Turbine with 3 x 9 metre length blades plus ancillary development**

(a) Principal Planning Officer (JW) stated that

- (i) the application sought planning permission for the erection of a wind turbine and access track;
- (ii) since publication of the report comments had been received from Leicestershire County Council Ecology section. County Ecology noted that the turbine was to be located within an area of arable field and there were no large habitat features of note close by. They had commented that the turbine was to be located 50 metres away from the hedgerow and it was recommended that the distance be extended to 55 metres due to the potential for foraging bats in the hedgerow. With regard to protected species the application did not trigger any specific surveys and there was no direct evidence of any roosts. The development was sufficiently far away from hedgerows not to interfere with any badger sett and foraging should not be impacted due to the relatively small footprint of the application. There was a pond within 100 metres of the application but there was little habitat connectively between the pond and the site itself. However, there have advised that Natural England should be consulted to see if they recommend further surveys or give more detailed advice.
- (iii) it was therefore requested that the application be deferred to allow for consultation with Natural England.

A motion to defer was moved and seconded. On being put to the vote, the motion to defer was carried unanimously.

**DETERMINATION : Deferred.**

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(Councillor Botterill here re-entered the Meeting.)

**(2) Application : 10/00395/FUL**  
**Applicant : Mr C Smith**  
**Location : Land Off Main Street, Eaton**  
**Proposal : 4 holiday log cabin units, office, storage barn and improvement to access from road**

(a) The Head of Regulatory Services stated that :-

(i) there were some additional matters following enquiries made at the site inspection :-

- Condition 2 on page 12 reference to caravans and tents should be adjusted to refer to log cabins
- There was a need also to condition that these log cabins were all that was approved, to safeguard against a danger that they could be regarded as 'mobile' and replaced by static caravans
- A Caravan Club licence being introduced alongside the log cabins. The Council could see no reason why this could not be applied and there would be justification, because the highways assessment was based on the 4 log cabins shown, and caravans would introduce a different factor.

(b) Mr E. Luckwell was invited to speak on the application and stated that :-

- He lived directly opposite the proposed site
- He was speaking on behalf of the village
- Previous applications had been turned down due to loss of amenity
- Nothing had changed since the previous refusal
- The proposals would cause noise and disturbance
- There would be loss of privacy – mobile homes looking directly into people's homes
- The residential properties were on a lower level
- Removing soil from the verge would not help with visibility
- The exit would represent a serious safety hazard to children
- The local press had implied predermination of the application

(c) Mr A. Rogers was invited to speak on the application and stated that :-

- He was speaking on behalf of the applicant
- The proposals would provide additional tourist provisions
- The proposals had been significantly altered since the previous application
- The application was recommended for refusal on the grounds of noise and disturbance
- The applicant had sought advice from the planning department – and the advice given was to remove 7 touring caravan pitches and replace with 1 log cabin
- The loss of pitches would affect the level of activity on the site and reduce any potential noise and disturbance
- There were only 4 log cabins and a small office planned
- There were no objections from the Highway Authority

- The proposal was not considered to have any harmful impact on local conservation
- The proposals would have a positive impact on the local economy

(Councillor Barnes here entered the meeting.)

The Head of Regulatory Services stated that the revised application was now reduced in scale from the previous application by the removal of the caravans. Councillor Botterill noted that he would like to see conditions set that the main access should be used for the site and not for any other properties. Councillor Botterill also noted that he would like to see the hedge cut on the roadside. The Chairman noted that the play area opposite the gates was a concern. The Head of Regulatory Services confirmed that the Highway Authority had looked at the representations and confirmed that they were aware of the play areas location.

Councillor Holmes moved to refuse the application on the grounds of safety and retaining the character of the area. Councillor Holmes noted the Conservation Officers comments that the proposals would not be in-keeping with the character of the area.

Councillor Cumbers requested that if it was permitted a condition needed to be enforced to ensure that railings be installed around the play area. Councillor Wyatt stated that that this application could be open to appeal and suggested lowering the level of the log cabins to assist with the overlooking. Councillor Wyatt moved to permit with the addition that the log cabins be lowered, the hedge being cut back, the main access being used by the site only and railings being installed around the play area. The Motion to permit was seconded. There was no seconder for the motion to refuse. The Head of Regulatory Services stated that the site levels would be able to be imposed but Members could delegate to him the mechanism to achieve the railings.

On being put to the vote, the motion to permit was carried with 3 in favour and 2 against.

(Councillors Holmes and Chandler requested that their votes against the decision be recorded.)

**DETERMINATION: Permit subject to the conditions within the report, additional conditions, and subject to securing the provision of a pedestrian barrier at the play area entrance and for the following reason(s) :-**

- 1. The proposal sought to apply for full planning permission for 4 log cabin style holiday units and office block/w.c and storage building, (with the electric hook ups and pitches for a maximum of 7 touring caravans, a utility building and barn from the previous application being omitted). The improvements to the access comply with Highway standards and the proposed buildings were considered not to cause any detrimental harm to the countryside due to the construction materials proposed and the screening for the site from the highway;**

2. The proposal was considered to comply with the objectives of national and local planning policies and the emerging Local Development Framework in terms of generating tourist accommodation and supporting the PPS4 objectives of contributing to the rural economy and facilitating access to the countryside. There was a lack of these types of facilities within the Borough and there were many rural tourist attractions within the Vale of Belvoir that would support this proposal. It was considered that the impact on travel patterns and other sustainability considerations would be very limited by its scale and location, such that no significantly harmful affects could be demonstrated;
3. Previous concerns that the use of the site was likely to generate a degree of noise and disturbance to the neighbouring properties was considered to have been overcome by the deletion of the touring caravan proposals. The use of 4 holiday chalets was not likely to generate any more noise than residents enjoying the use of their gardens and if the site was certificated by the Caravan Club, it would benefit from 'Permitted development' rights for 5 caravans in any event;
4. It was not considered that this type of holiday use (log cabins) in proximity to residential dwellings was unacceptable and was unlikely to result in a loss of residential amenities to the adjoining properties that could be supported at appeal. The proposal was not therefore considered to be contrary to Policy BE1 of the adopted Melton Local Plan and was accordingly recommended for approval.

**Additional Conditions :-**

1. No more than 4 log-cabins shall be positioned on the site in connection with the development hereby permitted, and their design shall be in strict accordance with those details specified in the application and no caravans; mobile homes; or log cabins of an alternative design shall be located on the site unless alternative designs are first agreed by the Local Planning Authority;
2. Notwithstanding the provisions of Class A and B of Part 5 of Schedule 2 of the Town and Country Planning General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order), no caravans/mobile homes shall be located on the application site, and any caravans/mobile homes that exist on the site when the development hereby approved was commenced, shall be removed from the site within 14 days of the commencement;
3. All means of vehicular and pedestrian access/egress to and from the site shall be from the improved access from Main Street and no other access/egress shall be used. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking or re-enacting that Order) no other access shall be formed unless planning permission was first obtained from the Local Planning Authority;

**4. No development shall take place on site until details of existing and finished site levels and the floor levels of the log cabins have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with such agreed details and thereafter retained in the agreed form, and there shall be no changes to the agreed levels in the future.**

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**(3) Application 10/00264/OUT  
: WL Child and Sons  
Childs Cottages, Burton Road, Melton Mowbray  
Outline permission for replacement residential  
development**

(a) Principal Planning Officer stated that

- (i) the application sought outline planning permission for a replacement dwelling on a site within the open countryside, with all matters reserved. The existing cottages on the site had been converted into a four bedroom dwelling;
- (ii) since publication of the report a letter had been received in connection with the application which had been circulated to Members at the requested of the author. The letter expressed concern with regard to the access and 3 acres of land. With regard to the issued raised the land referred to did not form part of the red line of the application site. Any future development or intended use of this site, if any, would be the subject of a separate application;
- (iii) notwithstanding the additional comments received it was considered that the principle of a replacement dwelling was acceptable;

Councillor Chandler read out a representation from Burton and Dalby Parish Council and stated that 'the access should not be considered until the full application was received'.

The Principal Planning Officer stated that the application was outline and therefore the access would not be considered at this stage.

Councillor Holmes moved a motion to permit the application. Councillor Moncrieff was a seconder for this proposal.

On being put to the vote, the motion to permit was carried unanimously.

**DETERMINATION : Permit subject to the conditions within the report and for the following reason(s) :-**

- 1. The application sought outline consent for a replacement dwelling with all matters reserved. It was considered that the principle for a replacement dwelling was acceptable and supported by the development plan policies. However further assessment would be required with the submission of the reserved matters application in relation to the access for the site and weather it was considered to have a negative impact upon the character of the area. The creation**

of an access in the open countryside for the purpose of domestic use was not supported under the provisions of policy OS2 and therefore the application would represent a departure to the local plan policy. It was considered that there would be benefits to the safety of highway users if on site parking could be provided and this would be a material consideration to warrant a departure from the development plan.

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- (4) Application : 10/00386/FUL**  
**Applicant : Mr R.Thain – Ross Thain and Co**  
**Location : Timothy’s Wood, Westmoor Lane, Cold Overton**  
**Proposal : Erection of 1 four bedroom dwelling with self sufficient environmentally friendly developed light, heating and drainage systems. Fabricated using locally sourced materials and built within a managed sustainable woodland.**

(a) Principal Planning Officer stated that

- (i) the application sought planning permission for the erection of a large self-sufficient dwelling in the open countryside in a remote location. The application proposed a uniquely designed dwelling that was to be entirely service free and on the concept of sustainable development. The application had been applied for under the exception policy within PPS7 which stated that very occasionally the exceptional quality and innovative nature of the design of a proposed, isolated new house may provide special justification for granting planning permission;
- (ii) the proposal offered a unique location, hi-tech dwelling, enhancement of wildlife, woodland management scheme, entirely service free, biomass heat and power, reed bed drainage and would provide education and information at local and national level. Details of the scheme were outlined within the report;
- (iii) it was considered that the technology and sustainability issues of the proposal did meet some of the exceptions criteria as set out in PPS 7. However, the physical location of the dwellings also needed to be considered. The dwelling would be in an isolated location and the nearest settlement which was Cold Overton in itself was considered an unsustainable location. Any occupants of the proposed dwelling would be heavily reliant on the motor car to access services and other goods. It was also considered that this proposal was not typical of how a sustainable dwelling could be provided in the future. The dwelling was an insufficient use of land, heavily dependant on a wide area of woodland and the motor car. The proposal was not in a sustainable location and would not assist in fulfilling housing need for the future;
- (iv) there was a factual error in the report on page 2 and 3. There was an extant permission to form an equestrian centre which was approved in March of this year. Therefore, if Members were mindful to approve the application then it would be necessary to enter into a legal agreement with the applicant to ensure that this approval did not commence in line

with the request from the Highway Authority and would need to be referred to the Secretary of State.

(b) Mr T. Stables was invited to speak on the application and stated :-

- The Parish Council had recommended rejection of the application
- The application seemed to be based on PPS7 paragraph 11
- The words in the policy heavily suggested 'occasionally' to permit under the exceptions criteria
- There were strong reasons to reject
- The reasons for objection were stronger than the reasons for acceptance

(c) Mr R. Thain was invited to speak on the application and stated :-

- He was the designer on the project
- This location was closer to Cold Overton
- The last application had failed due to its location– it was hoped that a greater proximity to other properties would help to alleviate some of the original concerns
- The entire area of land would be planted with 5000 indigenous trees
- A fully accredited ecologist had been appointed - who had confirmed that the wood was dead
- The wood supported little wildlife
- The planned pond and other measures in the application would help to address this imbalance
- The building would be service free and wholly sustainable
- The building would be entirely mains free
- 'Groundwork Leicester' had written in support of the application
- They wanted these types of application to become the norm rather than an aspiration.

Councillor Barnes considered the location of the proposals to be unsuitable. Councillor Barnes stated that it was not a sustainable proposal and moved to refuse the application. Councillor Cumbers was a seconder for this proposal. The Chairman noted that she had some sympathy for the application but the previous application submitted was more sustainable.

On being put to the vote, the motion to refuse was carried with 5 in favour.

**DETERMINATION : Refuse for the following reason(s) :-**

- 1. In the opinion of the Local Planning Authority the proposal would, if approved, result in a residential development which was not within or adjoining a settlement that had been identified as being suitable for development and as such was a departure from the local development framework. The site was not within a settlement envelope and was in an isolated location heavily reliant on the motor car. The dwelling had been justified under the exceptions policy of PPS7, however, the ground-breaking nature of the development was not considered sufficient justification to allow for the erection of an isolated dwelling in an unsustainable location. The proposal was therefore considered to be contrary to Planning Policy Statement 1**



**(Delivering Sustainable Communities) and Planning Policy Guidance 3 (Housing), and the LDF Core Strategy Preferred Options.**

- 2. Insufficient information has been submitted by the applicant for the Local Planning Authority to be able to assess the impact the proposed development would have upon protected species. This was contrary to PPS9 "Biodiversity and Geological Conservation" which affords protection over protected species and places a duty to conserve biodiversity.**
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- (5) Application : 10/00354/COU  
Applicant : Mr S Pear  
Location : Field Number 4756, Muston Lane, Easthorpe  
Proposal : Retrospective application to provide hard standing to site wooden movable stables for 2 horses, extend the width of field access to allow safer access for a horse box.**

The Head of Regulatory Services stated that the application was for the hard standing and access (the stables were moveable) and the main issue was to judge whether the hard standing damaged the quality of the countryside in the area. The Officer's view was that it did, especially given its size and proximity to the public road.

(a) Mr S. Pear was invited to speak on the application and stated that :-

- The hard standing was opposite his partner's cottage and was for pleasure and recreational use only
- The hard standing was to keep the area clean and tidy whilst unloading cattle and horses
- Trailers were stored on the hard standing
- He had previous experience of wading around in deep mud and would prefer to avoid this in the future
- The area concerned was outside the village envelope
- They were planning on making the hard standing blend by putting down some thin soil and grass seed
- They intended to tow the stable down to a position closer to a neighbouring stable which would take it further away from the road

The Head of Regulatory Services stated that Councillor Wright had been in touch to confirm that he objected to the change of use on the grounds of its visual impact and it being contrary to Policy OS2.

Councillor Barnes moved to refuse the application. Councillor Cumbers was a seconder for this proposal.

On being put to the vote, the motion to refuse was carried with 6 in favour.

**DETERMINATION : Refuse for the following reason(s) :-**

- 1. The change of use of agricultural field to a hard standing for moveable stables in the open countryside did not comply with**

**Policy OS2 of the Adopted Melton Local Plan. The proposal represented a departure from the Local Plan. It was considered that the change of use would have a detrimental impact on the character and appearance of the open countryside therefore, for the reasons stated above the application was recommended for refusal.**

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- (6) Application : 10/00383/FUL  
Applicant : Mr Paul Shaw - Church And Shaw  
Location : Plot 2 Manor Farm, Towns Lane, Goadby Marwood  
Proposal : Amendments to Plot 2 - single storey house forming part of previously approved applications 08/00019/FUL and 08/000454/FUL**

The Head of Regulatory Services was invited to speak on the application and stated that the main issue was the extension of the curtilage of plot 2 into the countryside. The Narrative on this issue could be found on page 4 of the permission and it would be noted that (a) the harm that this extension would cause would be minimal and (b) the design improvements were beneficial to the scheme overall. It was the Council's view was that the benefits outweighed the costs and these changes could be justified.

Councillor Botterill moved to permit the application. Councillor Cumbers noted that she could not support the application as it was a breach of the village envelope. Councillor Holmes was a seconder for the motion to permit.

On being put to the vote, the motion to permit was carried with 4 in favour and 3 against.

(Councillors Barnes, Chandler and Cumbers requested that their votes against the decision be recorded.)

**DETERMINATION : Permit subject to the conditions within the report and for the following reason(s) :-**

- 1. The bulk of the proposed dwelling on Plot 2 lay within the village envelope of Goadby Marwood and thus benefited from a presumption in favour of development under policies OS1 and BE1. The site also falls partially within the Conservation Area and permission for residential development had previously been granted on the site. Part of unit 2 along with the proposed new garden to that unit would extend beyond the village envelope; however, these would still be confined within the paddock area and would not extend any further north than the access drive, which had already been permitted outside of the village envelope. It was not considered that the use of this area would encroach upon the undeveloped countryside beyond;**

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- (7) Application : 09/00313/COU**  
**Applicant : The Leicester Diocesan Board Of Finance**  
**Location : St Peters Church, Church Lane, Saxby**  
**Proposal : Change of use from use Class D1 to use Class C3.**

(a) The Principal Planning Officer (JW) stated that

- (i) the application sought planning permission to convert a redundant grade II\* listed church into a residential dwelling. The application was presented to Committee as it represented a departure from the development plan. The dwelling would be located in an unsustainable village where new housing development would not normally be accepted. However, in this instance the preservation of the historic building was considered to outweigh sustainability issues;
- (ii) if minded to approve, the application would need to be referred to the Secretary of State;
- (iii) there had been no additional information received since publication of the report and accordingly was recommended for approval subject to referral to the Secretary of State.

The Chairman moved to permit the application and Councillor Holmes was a seconder for proposal.

On being put to the vote, the motion to permit was carried with 6 in favour.

**DETERMINATION : Permit subject to the conditions within the report and for the following reason(s) :-**

- 1. The application sought to convert a grade II\* Listed Building to a habitable use which would secure its long term future. The Church sits within the village envelope for Saxby, a Category 3 Village, where future housing development would not normally be supported. It was considered that preserving of the historic building outweighs matters in regard to sustainability and its use as a one bedroom residential dwelling was acceptable. Private amenity areas could be provided which ensured that the integrity of the grave yard and protected open area would remain intact. The applicant had shown that parking provisions could be provided within the site with modifications to the entrance and pathway and the proposal would not impact on the amenities of adjoining residential properties.**

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- (8) Application : 10/00322/FUL**  
**Applicant : Mr M Lovett**  
**Location : Land Adjacent To Moat Farm, Middle Lane, Nether Broughton, LE14 3HD**  
**Proposal : New two storey dwelling and change of use of part of lot from a farm yard to a domestic garden for new dwelling.**

(a) The Principal Planning Officer (JW) stated that

- (i) the application sought planning permission for the erection of a new dwelling on a site within the village envelope for Nether Broughton. Within the village envelope there was a presumption in favour of development under policies OS1 and BE1. The development was not considered to impact on any adjoining properties and had been designed to reflect the character and appearance of the surrounding area;
- (ii) the proposals were for a large detached dwelling which could provide 4 bedrooms and therefore was not considered to support the Borough's housing need. The proposed access to the dwelling was also considered substandard on to Middle Lane as it lacked appropriate visibility splays.

The Principal Solicitor stated that the Applicant wished to speak, but the required 2 days notice had not been given, which meant that Members would need to vote on suspending standing orders.

Councillor Holmes moved to suspend standing orders to allow the applicant to speak. Councillor Moncrieff was a seconder for this proposal. The vote to suspend standing orders was carried unanimously.

(b) Ms. R. Bedford was invited to speak on the application and stated that :-

- She wished to thank everyone for allowing her to speak
- They were the third generation farmers, farming locally which necessitated living on the holding
- The proposals were within the village envelope
- A Neighbour had written a letter of support
- The development would not be overbearing
- The design had emerged from local buildings
- It would be a lifetime house for lifetimes needs
- It was not a speculative application
- It would be possible to narrow the carriageway slightly
- Any highways difficulties could be overcome by conditions

The Chairman read out a submission from Councillor D.E. Orson which stated that :-

- She welcomed young people with strong connections to stay in the village
- The application met policies OS1 and BE1
- The application had lots of local support

- The only issues were access – which was important and needed to be discussed by the applicant and the planners

Councillor Wyatt stated that the Committee needed to see the site in order to make a decision and moved to defer the application until a site visit could be arranged. The Chairman was a seconder for this proposal with the inclusion that the Officers went back to the Highway Authority to reconsider the access.

Councillor Holmes moved to permit the application. This motion found no seconder.

On being put to the vote, the motion to defer was carried unanimously.

**DETERMINATION : Deferred to allow a site inspection and further discussions to identify a solution to the access.**

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- (9) Application : 10/00340/FUL**  
**Applicant : The Hill Trust**  
**Location : Old Guadeloupe House, Leicester Road, Melton Mowbray LE13 0DB**  
**Proposal : Conversion of existing dwelling and outbuildings into private offices.**

The Principal Planning Officer (JW) stated that the application sought planning for the change of use of a former dwelling and outbuildings into private offices. The site was situated in a prominent position along Leicester Road on the outskirts of the town envelope. The property was not capable of being brought back into use as a residential dwelling and the building was considered to contribute to the Borough's heritage and was considered a heritage asset and the proposed use would safeguard the buildings future.

Councillor Cumbers moved to permit the application. Councillor Barnes was a seconder for this proposal.

Councillor Cumbers enquired if the design had been approved by the Conservation Officer. The Principal Planning Officer stated that there would be no change to the building as the application was just for a change of use. The Principal Planning Officer confirmed that the conditions would remove the right to change the windows.

On being put to the vote, the motion to permit was carried unanimously.

**DETERMINATION : Permit subject to the conditions within the report and for the following reason(s) :-**

- 1. The application presented a unique set of circumstances where a substantial dwelling in the open countryside was not capable of being brought back into use as a residential dwelling due to past histories. The existing building was considered to contribute to the boroughs heritage and had therefore been considered as a heritage asset worthy of retention. The proposal sought to maintain the building by introducing a new use in order to safeguard the buildings**

**future. It was considered that the proposal complied with the development plan policies OS2 and C6 and the objectives of national policies.**

The Chairman adjourned the Meeting at 7.30 p.m. due to a medical emergency the meeting re-convened the Meeting at 8.10 p.m.

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**(10) Application : 10/00414/FUL**  
**Applicant : Mr P Sutton - Merriman Limited**  
**Location : Langham House, 1 The Green, Old Dalby**  
**Proposal : Erection of three detached houses and associated parking**

(a) The Head of Regulatory Services stated that :-

- (i) Councillor D.E. Orson had highlighted that the village facilities were not correctly described in the report because the shop and post office had now closed;
- (ii) the main issue was considered to be the size of the houses and how this related to local need. The Council's view was that there were three factors that detracted from the strength of the policy position and resulted in it being unsustainable:
  - The existing permission did not match local needs either, so the harm caused by this proposal was minimal
  - The 'lifetime homes' standard meant the houses were adaptable for all ages and sizes of household – arguably better therefore than the existing permission
- (iii) these combined limitations were considered to undermine any refusal based on this policy. As such it was not considered the Council could sustain a reason for refusal on this basis.

(b) Mr D. Revill was invited to speak on the application and stated that :-

- The Parish Council were both amazed and appalled that the application was recommended to be permitted
- There were numerous large houses in the village – this application would make the situation worse
- Lots of people would like to downsize and stay in the village but there was a shortage of smaller homes
- Money paid for the site should have no influence on the decision
- They urged the Committee to reject the application for the same reasons it has previously been refused
- Previous applications had been consistently recommended for refusal because they were for 4 bedroomed houses
- The external plans were the same as what had previously been submitted

(c) Mr M. Parish was invited to speak on the application and stated that :-

- He was the Agent for the applicant
- It was a local company employing local people
- Their ethos was to provide housing for local needs
- The objection was based on the village of Old Dalby which only formed only part of the area described and should not be considered in isolation
- The development would preserve the character of the local area

Councillor Chandler read out a submission from Councillor D.E. Orson which stated that :-

- Concerns remained that this development was not meeting the requirements of the local community
- The Council had commissioned a Housing Stock analysis which demonstrated a lack of smaller properties
- The report did not address the housing stock imbalance
- It was the responsibility of the Committee to stick to the decision which had previously been taken

The Head of Regulatory Services stated that it was incorrect that the Development Control Team had consistently recommended refusal for applications because they were 4 bedroom properties. Members enquired about the Lifetime Homes aspect of the application. The Head of Regulatory Services stated that it was recognised that the proposal did not meet the identified housing need but the incorporation of a Lifetime Home standard would allow the properties to be appropriate to meet future needs. A Member enquired if there were any village envelope issues arising from the application and the Head of Regulatory Services advised that it was within the village envelope on all sides.

Councillor Barnes moved the recommendation within the report. The Chairman commented that it was sad the application was for large houses when they knew there was already a surplus of larger properties.

Councillor Cumbers moved to refuse the application as the application did not meet local housing need and enquired whether viability issues should have influence. Councillor Holmes was a seconder for this proposal. Councillor Moncrieff noted that he was concerned about costs being lodged against the Council at appeal. The Housing Allocations Officer confirmed there was a need for smaller properties and that viability could have a role. The Head of Regulatory Services stated that viability had a role in planning and provided advice that this can be critical with larger scale schemes that have substantial impact on housing supply. He further advised that in this case, because of the small scale of the proposal in relation to overall housing supply, Officers did not consider that the viability issues presented by the applicant provided justification for the development, nor had they contributed to the recommendation.

On being put to the vote, the motion to refuse was lost with 2 in favour and 4 against.

A motion to permit was moved by Councillor Barnes and seconded by Councillor Botterill.

On being put to the vote, the motion to permit was carried with 4 in favour and 3 against.

(Councillor Holmes, Cumbers and Chandler requested that their vote against the decision be recorded.)

**DETERMINATION : Permit subject to the conditions within the report and for the following reason(s) :-**

1. The site lay within the village envelope and was therefore in a location which benefited from a presumption in favour of development under policies OS1 and BE1. Residential development had been agreed in principle with approval of application 07/00564/FUL for 3 three bedroom dwellings. It was considered that the design of the dwellings had been well considered to respect the adjacent buildings and the Conservation Area setting and the layout allowed the retention of the most prominent trees. The proposed dwellings respect the existing site contours and the ridge heights were in keeping with the neighbouring properties. The separation distances between the single storey properties on Church Lane had been increased and therefore overcome the previous concerns. The proposed access and parking arrangements were considered acceptable and the dwellings were set well back from the road and therefore it was considered that the dwellings would rely seen from beyond the site confines;
2. It was recognised that the development would bring marginal benefits in terms of improved house designs. However, this should be balanced against other planning objectives. One such objective was the balancing of local housing supply in order to meet identified needs. Whilst it was recognised that the proposal did not meet current housing need in terms of house size, it was considered that the incorporation of lifetime homes standards ensured that the dwellings were appropriate to meet longer term housing requirements and as such would make a positive, if not ideal, contribution to overall housing supply.

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(11) **Application : 10/00252/FUL**  
**Applicant : Mr Neil Herries**  
**Location : 22 Main Street, Stathern, LE14 4HW**  
**Proposal : Alterations to existing bungalow to add first floor and new 3 bedroom dwelling to the side.**

(a) The Principal Planning Officer (JW) stated that :-

- (i) the application sought planning permission to alter an existing bungalow into a four bedroom dwelling and for the construction of a new two storey three bedroom dwelling within the village envelope for Stathern;



- (ii) the application had been brought to Committee as the proposed dwellings were not considered to support the Borough housing need. However, it was considered that both dwellings had been designed to provide dwellings accessible to all and capable of being adapted in the future to comply with Lifetime homes standards.

Councillor Cumbers noted that by raising the roof it could allow for more bedrooms. The Chairman stated that the Parish Councils around Melton had been saying for some time that local housing stock was being lost.

Councillor Cumbers moved to refuse the application. Councillor Holmes was a seconder for this proposal.

On being put to the vote, the motion to refuse was lost with 3 in favour and 4 against.

Councillor Wyatt moved to permit the application. Councillor Botterill was a seconder for this proposal. On being put to the vote, the motion to permit was carried with 4 in favour and 3 against.

(Councillors Holmes, Chandler and Cumbers requested that their votes against the decision be recorded.)

**DETERMINATION : Permit subject to the conditions within the report and for the following reason(s) :-**

- 1. The application site lay within the village envelope and thus benefited from a presumption in favour of development under policies OS1 and BE1. The proposed development had been designed to have a limited impact on adjoining properties, and was considered capable of reflecting the character and appearance of the surrounding area. Although the new dwelling would represent the introduction of a building on land currently used as garden area it was considered that the character of the Conservation Area would be preserved thorough the design of the proposal being in keeping with the locality. The dwellings as proposed were not considered to support the Boroughs housing needs as open market dwellings however the bungalow had been designed specifically for the future needs of the existing family. Both dwellings had been design to assist with providing dwellings accessible to all and capable of being adapted in the future which complied with Lifetime Homes standards and as such the existing 'balance' of the stock would not be adversely affected.**

#### **D14. REQUEST TO AMEND NAME OF STREET – WYMONDHAM**

The Head of Regulatory Services submitted a report (copies of which had previously been circulated to Members) to consider a request from Wymondham Parish Council to alter the street name assigned to a new development.

The Head of Regulatory Services stated that the Council did have a policy which excluded what the Parish Council were requesting. Councillor Cumbers noted that the Parish Council had put a lot of thought into the name

and moved to permit the request with the proviso that the Parish Council paid for any costs involved. Councillor Barnes was a seconder for this proposal.

On being put to the vote, the motion to permit was carried unanimously.

**RESOLVED** that the request be refused for the following reasons :-

1. **The request for the revision to the street name to West Well Gate was accepted provided that;**
2. **The Parish Council pay the administrative costs associated with making this change.**

D15. **DEVELOPMENT CONTROL PERFORMANCE 2010/11**

The Head of Regulatory Services submitted a report (copies of which had previously been circulated to Members) to advise the Committee, of the Performance Indicator outcomes related to the determination of planning applications for Q1 (April to June 2010), the workload trends currently present and the general performance of the team.

**RESOLVED** that the current performance data be noted.

**URGENT BUSINESS**

There was no urgent business.

The meeting which commenced at 6.00 p.m. closed at 8.50 p.m.

Chairman