

Supplementary Agenda



Rural Capital of Food

Meeting name	Meeting of the Planning Committee
Date	Thursday, 5 April 2018
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH
Other information	This meeting is open to the public

Meeting enquiries	Development Control
Direct Dial	
Email	externaldevelopmentcontrol@melton.gov.uk

No.	Item	Page No.
2.	MINUTES To confirm the minutes of the previous meeting on 15.03.18	1 - 22

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Minutes

Meeting name	Planning Committee
Date	Thursday, 15 March 2018
Start time	6.00 pm
Venue	Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH

Present:

Chair Councillor J. Illingworth (Chair)

Councillors

P. Posnett (Vice-Chair)	P. Baguley
G. Botterill	P. Chandler
P. Cumbers	P. Faulkner
M. Glancy	T. Greenow
E. Holmes	J. Wyatt

Observers

Officers

- Solicitor To The Council (SP)
- Assistant Director for Strategic Planning and Regulatory Services
- Planning Officer (GBA)
- Planning Officer (JL)
- Applications And Advice Manager (LP)
- Administrative Assistant (MF)

Minute No.	Minute
PL83	<p>Apologies for Absence There were no apologies for absence.</p>
PL84	<p>Minutes The members reviewed the minutes of the previous meeting.</p> <p>Cllr Holmes proposed to approve the minutes of the previous meeting. Cllr Greenow seconded the motion to approve the minutes of the previous meeting.</p> <p>A Vote was taken to approve the previous minutes. 11 Councillors supported the motion. 0 Councillors opposed the motion. 0 Councillors abstained from the vote.</p> <p>The minutes were unanimously approved.</p>
PL85	<p>Declarations of Interest Cllr Botterill declared a prejudicial and pecuniary interest in agenda item 4.7 – 17/01253/FUL.</p>
PL86	<p>Schedule of Applications</p>
PL86.1	<p>16/00352/OUT Applicant: Mr Andy Norris Location: Field 3957, Manor Road, Easthorpe Proposal: Proposed residential development.</p> <p>The case officer (JL) stated that:</p> <ul style="list-style-type: none"> • Further details of the flood compensation scheme have been submitted, with the following slide showing the field where this is proposed to be located. • A condition is included to restrict height of development – the application is for outline permission and the elevations are indicative. • LCC Ecology and Highways have raised no objection to the application. LLFA and EA are satisfied, subject to inclusion of conditions, including finished floor levels. • The proposed flood alleviation details have been included in the report – this would involve digging down in the relevant field which would allow overflow near to the culvert, reducing water flow to further down stream in Easthorpe/ Bottesford. <p>Councillor Bayman was invited to speak, but was not present.</p> <p>Ian Sparrow, as an objector, was invited to speak, and stated that:</p>

- He is a resident of Muston Lane, which is lane serving the application site
- Access to the site is off Muston Lane
- The new development would overshadow Muston Lane, and ruin all views
- In response, all residents would build large fences to create privacy from the new development
- The development is outside the village curtilage
- There is no need for local housing in the area
- Wildlife in the area will suffer
- There is a sewage issue in Easthorpe, and in Muston Lane in particular
- Muston Lane is very narrow and not suitable for development
- There are highways and traffic issues with the site
- Muston Lane has flooded, and this new development will only make that worse

A Cllr sought clarification on the fencing issue.

Mr Sparrow responded that neighbours to the development will be forced to build large fences to protect their privacy from the overshadowing from the new development.

A Cllr queried how often the site flooded.

Mr Sparrow responded that Muston Lane has flooded twice in the last 20 years.

Clive Wicks, as the agent, was invited to speak and stated that:

- The development is of very high quality
- The scheme has the support of both the LLFA and Highways Authority
- Environment Agency have no issues with the scheme
- New hedgerows will be planted on the site, and the original hedgerow will be retained
- 2 starter homes are within the scheme
- The scheme is close to the village
- The houses are only two stories with roof space
- The floor levels on the site are higher to reduce flood risk on site
- There is no contamination risk from this site, unlike other local sites
- The scheme will redirect water from the village
- The scheme is sustainable, and encourages members to support officer recommendation for approval

Cllrs had no questions for Mr Wicks.

The Case Officer responded to matters raised:

- The height and number of storeys can be limited through conditions of approval
- This is an outline application; elevation and siting are only indicative and would be the subject of reserved matters if approved.
- There are no objections raised by the LLFA, Environment Agency, Highways Authority or Ecology Issues
- There is a flood alleviation scheme included in the plans

Cllr Chandler stated that there is a sewage issue in the area, but this comes from Muston, and is a utility issue rather than a planning issue. There are hedgerows included within the scheme, so it is possible to condition against new fencing in the conditions for approval. This is a small site so will allow for individual design that will be welcomed within the area, and can condition for no dormer windows within the scheme. The scheme includes a flood alleviation scheme that is needed in the area and 2 starter homes. **Cllr Chandler proposed to permit the application, subject to an additional condition to limit the development to two stories.**

Cllr Holmes seconded the motion to permit, and agreed to the extra condition.

A Cllr queried whether planning permission would be needed for the installation of Velux windows.

The Assistant Director of Strategic Planning and Regulatory Services responded that this is included in condition 15, which does not allow development of over two stories.

A Cllr stated their agreement with the condition for no dormer windows, yet believed that a condition on no fencing would be onerous, particularly as parents want fencing with small children in the garden.

The Case officer (JL) stated that a specific condition can be implemented for no dormer windows, and that Permitted Development Rights would be removed by condition 15. Fencing would be resolved at a reserved matters application stage, and the current layout is indicative as it is only an outline application.

A Cllr stated that home owners can build their own fences at a later stage if they want or need to.

A Cllr sought clarification on condition 5.

The Case officer (JL) stated that condition 5 is a highways condition, and to help visibility and meet visibility splay requirements.

A Cllr queried the hedge and road figures of 2.4m

The Case officer (JL) stated that this means that the visibility splays are calculated from 2.4m back from the junctions (rather than height), and anything within the splay must have a maximum height of 0.6m, as it mentioned in the conditions.

A Cllr stated that fencing may be necessary to stop and restrict livestock from the surrounding area.

A Request was made for the Ward Councillor to be involved with the scheme and design of the scheme at reserved matters stage.

A vote was taken on the motion to permit.

11 Councillors supported the motion.

0 Councillors opposed the motion.

0 Councillors abstained from the vote.

The motion passed unanimously. The application was permitted.

DETERMINATION: APPROVED: in accordance with the recommendation in the report and an additional condition limiting the houses to 2 storey.

REASONS:

The proposed development will provide up to 6 dwellings, with two of these properties proposed to be starter homes and of a considerably smaller size than the other 4 proposed dwellings. It is considered that the proposed development does not provide a good mix of housing size due to the number of larger properties proposed. The Agent has stated that the larger houses are proposed so to attract potential business owners for the new business units to be built in Bottesford (Orston Lane). In preparation for the local plan, the housing need for the Borough has been assessed and it is considered that there is more of a demand for two and three bed properties. However as the application is for outline permission only (with indicative elevations provided), it is possible to restrict the size and heights of the dwellings to be submitted at reserved matters stage by means of a condition.

A sequential test has been submitted for the application which has considered the availability of other sites in the Easthorpe and Bottesford area. This concludes that there are not other sites that may be available for development, at a lesser risk of flooding. It has been demonstrated that flooding issues on the application site can be overcome through the design of the site, including raising the levels of the houses to a level above 1:100 year flood risk. (In accordance with the proposed conditions by the EA and LLFA). Additionally the applicant has proposed including a flood alleviation scheme on a site known locally as Pacey's Field which they consider would have wider benefits for Bottesford further downstream which is considered to bring wider public benefits and as such the Exception Test can be passed.

In conclusion, the proposed development is in a sustainable location, can overcome the flooding issues and would provide sustainability benefits to the wider community, due to the inclusion of two starter homes.

Applicant: Mr & Mrs Kavan Brook Shanahan

Location: Butlers Cottage, 11 Somerby Road, Pickwell

Proposal: Demolition of dwelling and the construction of 5 "Alms Style" 2 storey dwellings and associated gardens and garaging off a new single access from Somerby Road.

The Case officer (JL) stated that:

2 further comments have been received in support of the application. Much of the comments raised are already covered in the report.

Pickwell is the adjacent village to Somerby a Tier-2 village which has a variety of local resources including a Shop, Pub, Dr's Surgery, and a school. Somerby would easily be able to support the needs of these new home-owners in Pickwell. A variety of Somerby local businesses would also benefit significantly from increased local revenues.

Application is proposed to demolish 1 dwelling and erect 5 dwellings, just outside the conservation area. The applicant has proposed that one will be provided at 80% Market rental value, however it would be difficult for the council to have control over this.

Cllr Fynn, on behalf of the Parish Council, was invited to speak, and stated that:

- This is a welcome development in the area
- The scheme is to a high specification and integrates with the village
- It will not disturb local wildlife
- It creates a new footpath to the village centre
- No detriment to anybody locally
- Impacts do not outweigh the benefits
- Pickwell is not an unsustainable village
- Disagree with recommendation to refuse the scheme
- In the neighbourhood plan, there is support for local small schemes and small units
- There is proven local demand in the area
- Local support for the scheme in the village

A Cllr asked if there had been any comments against the scheme.

Cllr Fynn responded that there had been no objections to the application.

A Cllr asked that the potential harm of the scheme was.

Cllr Fynn responded that there was no foreseeable harm to the scheme

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

- The applicant currently lives at Pickwell Manor
- There is proven local demand for housing
- The village and scheme is connected to Somerby, it is less than 1km
- The village is not unsustainable
- The scheme is for traditional Alms housing
- This is not a significant development
- Lots of care and thought within the application
- The scheme will maintain highway safety
- The scheme will offer competitive local rents
- One of the houses will be offered for 80% market rent value to local people
- Parish Council support the application
- Conservation officer supports the application
- There are no objections to the scheme
- The benefits of the scheme outweigh the harm

Cllrs had no questions for Mr Fairhurst

Cllr Higgins, local Ward Councillor, requested to address the committee.

As Cllr Higgins was not registered to speak, Cllrs held a vote on whether to allow a new speaker.

Cllrs voted unanimously to allow Cllr Higgins to address the committee.

Cllr Higgins, the Ward Councillor, was invited to speak, and stated that:

- The scheme contains very high quality housing
- This sets a high standard for local people
- It has the support of local people
- This scheme will enhance the village
- The conservation officer states that the scheme will provide “Significant Gains” to the village and the area
- This scheme will enhance the village, the whole ward and the entire borough

Cllrs had no questions for Cllr Higgins.

The Case Officer (JL) had no updates to report.

Cllr Holmes proposed to permit the application, with the condition that the dwellings must match the current plans. This scheme will be beneficial for the village and the ward. Small properties enable local people to buy locally, and not leave the area. Supports the condition of priority for local people, especially at 80% of market rental value. The Benefits of the scheme outweigh the harm.

Cllr Posnett seconded the motion to permit. Agree with the Parish Council, in that Pickwell is not unsustainable as it is so close to Somerby, and the benefits outweigh the harm.

A Cllr stated that this is a very good scheme.

A Cllr stated their support for the condition that one property will be offered to local people at 80% market rental value to encourage local people.

A Cllr stated that this is a great scheme, and agree with the proposal.

The Applications and Advice Manager (LP) stated that some parts needed clarification as this scheme would be subject to an S106 Agreement. Would prefer either the Local Authority Cascade or the Cascade suggested by the agent.

Cllr Holmes responded that we should go with the Cascade suggested by the Housing Policy Officer.

A Cllr queried whether there was a condition to remove Personal Development rights.

The Case Officer (JL) responded that this was already included in the conditions.

The Applications and Advice Manager (LP) sought clarification on the conditions proposed, and whether the bedroom numbers were being conditioned.

Cllr Holmes agreed to condition that there would be 1 3 bedroom house and 4 2 bedroom houses within the scheme.

A Cllr stated that materials for the scheme should be decided between the officers and the ward councillor.

A Cllr noted that the highways conditions should be included within the scheme.

A Vote was taken on the motion to permit.

11 Councillors supported the motion.

0 Councillors opposed the motion.

0 Councillors abstained from the vote.

DETERMINATION: PERMIT, subject to conditions, the content of which was

delegated to the assistant Director of Planning and Regulatory Services.

REASONS: It is considered that the development of 5 houses to replace one dwelling would be of significant benefit which would outweigh the harm of the siting of a development in this unsustainable location.

The proposed development would provide an element of affordable housing for local people, the application form has stated that the development would be for market housing. On the balance of the issues, there are benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply. However, the balancing issues – the poor sustainability of the village and the conflict with the Pre Submission version of the Local Plan – are considered to be of limited significance and outweighed by the benefits.

Applying the ‘test’ required by the NPPF that permission should be granted unless the impacts would “significantly and demonstrably” outweigh the benefits; it is considered that on the balance of the issues, permission should be granted.

Cllrs Greenow and Holmes left the meeting at 18:58

Cllr Greenow returned at 19:00

Cllr Holmes returned at 19:01

PL86.3

17/00048/FUL

Applicant: Mr & Mrs Simon Read

Location: Field Nos 1586 And 9982, Washstones Lane, Frisby On The Wreake

Proposal: New dwelling and outbuilding.

The Case Officer (GBA) stated that:

This is a full planning application for one house on land off Washstones Lane, Frisby on the Wreake.

There are no updates to the report

This is an application for a single dwelling proposal with all matters of design, access and landscaping for consideration. Whilst located in a sustainable village and therefore being acceptable in principle the specific location on this site is deemed to be too remote from the village to be classed as part of the village. Walking to the centre of the village to access its services is challenging and therefore this further means that the development is difficult to describe as sustainable.

Finally, there are unresolved concerns of flooding as an acceptable sequential test is yet to be provided.

As such the application is recommended for refusal.

Members agree unanimously to let the Ward Councillor address the committee, despite not being a registered speaker.

Cllr Baxter, on behalf of the Parish Council, was invited to speak and stated that:

- Frisby is a small and rural village
- This application is outside the village envelope
- The neighbourhood plan is past examination and is going to referendum, so has significant weight
- The local plan says that Frisby needs to take an allocation of 68 dwellings, and the neighbourhood plan allocated 78.
- 98 permissions have already been granted within the village
- There is the risk of urban sprawl across Frisby
- The original consent for the site has not been adhered to
- This development is for another new dwelling
- This application should be refused with the officers recommendation

Councillors had no questions for Cllr Baxter.

Jonathon Ball, as an objector, was invited to speak and stated that:

- This is a countryside development
- This application will set a precedent within the village
- The site is within flood zone 2
- High risk of flooding, so a sequential test is required
- The sequential test with this application is not sufficient
- It is near the railway line, which cannot be mitigated against
- There are highways issues on site, and it is near a blind bend and within a 60mph limit
- Location is too remote to the village

Councillors had no questions for Mr Ball

Liam Doherty, as the agent, was invited to speak and stated that:

- This is a brownfield site
- It is on the edge of the village
- Previous permission for barn was granted in 2013
- This will be a carbon neutral home
- Sequential test is sufficient
- Gate and footpath link to the village
- The development is sustainable

- This is an exceptional design
- The benefits outweigh the harm for this application

A Cllr questioned the increase in hardstanding area on site for the increasing flood risk.

Mr Doherty replied that it was not significant as it is a brownfield site.

Cllr Hutchinson, as Ward Councillor, was invited to speak and stated that:

- There used to be a football pitch near this site, before a cricket pavilion was built near the site roughly 15 years ago
- This pavilion had to be built an extra 4ft higher due to the increased flood risk
- This site is still within flood zone 2
- Frisby has already met its allocation in both local plan and neighbourhood plan
- The access is on a 60mph road
- This site is near to the railway line

A Cllr questioned the frequency of flooding on the site

Cllr Hutchinson responded that the site is within flood zone 2, and floods regularly.

The Case Officer (GBA) responded that the Highways issue is not significant, according to the Highways authority. The sequential test could be a lot better. Carbon neutrality is a positive, but does not outweigh all the negatives. The footpath would not be well used, and it is outside the village envelope.

Cllr Holmes proposed refusal of the application, in line with officer recommendations.

Cllr Baguley seconds the motion for refusal, due to the risk of flooding, it is outside of the village envelope and has pedestrian issues.

A Cllr commented that the sequential test is poor, and was seen on the site visit, and must be consistent in decisions with other applications.

A Cllr commented that they agree with the motion for refusal, in line with the neighbourhood plan, as it is outside of the village envelope.

A Cllr stated that the report was very good and agree with the reasons for refusal.

A Vote was taken on the motion for refusal.

11 Councillors supported the motion.
0 Councillors opposed the motion.
0 Councillors abstained from the vote.

The motion passed unanimously. The application was refused.

REASONS:

1. The development, if permitted, would result in an unjustified form of sporadic development, beyond the settlement confines of Frisby-on-the-Wreake and remote from the village centre, and would be harmful to the rural character and appearance of the area and street scene, contrary to the aims and objectives of policy BE1 of the Melton Local Plan and objectives of the NPPF, in particular paragraphs 14, 17, 55 and 109.

2. The Local Planning Authority consider insufficient evidence has been submitted to demonstrate under a sequential test that, given the application site's status under land designated as Flood Zone 2, alternative sites with a lower probability of flooding could accommodate the proposed residential development. The proposal therefore is contrary to Paragraph 102 of the NPPF.

PL86.4

17/01346/FUL

Applicant: PDRH Limited - Peter Dunn

Location: Bottesford Filling Station, Grantham Road, Bottesford

Proposal: Proposed retail convenience store, associated external works and access alteration.

The Assistant Director of Strategic Planning and Regulatory Services stated that the recommendation for this application had changed to a recommendation to defer due to the number of late representations and new information that had come forward, that needed time to be considered, so should be deferred.

The Chair proposed a deferral of the application.

Cllr Posnett seconded the motion for deferral.

A vote was taken on the motion to defer.

11 Councillors supported the motion.
0 Councillors opposed the motion.
0 Councillors abstained from the vote.

The motion passed unanimously. The application was deferred.

DETERMINATION: DEFERRED in order to consider the content of the recently submitted representations.

PL86.5

17/01098/OUT

Applicant: Chris & Ian Carr

Location: Field 7900, Wartnaby Road, Ab Kettleby

Proposal: Construction of 10 new dwellings with community carpark and bus turning area.

The Case officer (JL) stated that:

The agent states that they can provide a footway on the North side of the road but it will not meet 6c's guidance of 2m width – but neither do most footways in the village. Notwithstanding this the applicant would agree to using the Southern footway if more acceptable to the Highways Authority.

The agent highlights the Parish Council's comment was relating to dwellings "to attract young families as the plot is adjacent to the school" – the outline mix of houses is for two 2 bed, six 3 bed & two 4bed – this meets the requirement. There is no policy requirement for "affordable" social housing to be provided on a site of this size.

The application seeks outline permission, however access and flooding issues have been resolved. The site is not allocated in the local plan and does not form an exception site (as not providing affordable housing). The site is outside the village envelope.

Richard Cooper, as the agent, was invited to speak and stated that:

- Ab Kettleby is a rural hub in the local plan
- Allocation site ABK1 is on the wrong side of the A606
- This site has support from the Parish Council
- Neighbourhood plan research shows that the village needs more housing
- The village is sustainable, as it is a rural hub
- Additional housing will improve the viability of the village
- This site provides a play area and a bus turning area
- This is only an outline application
- Impacts do not outweigh the benefits

A Cllr queried the bus turning area

Mr Cooper responded that it is designed for the local school bus, which currently turns in a dangerous spot near to the school itself.

A Cllr stated that Ab Kettleby needs more housing or the village will die out. There is no bus service in the village but there are a lot of traffic issues and parking is problematic. This application has a lot of both positives and negatives.

A Cllr reiterated that there is no bus service within the village, but there is a bus organised four days a week by County Hall, that visits the village and Melton

Mowbray town centre.

A Cllr queried how many dwellings have already been approved within the village. The Applications and Advice Manager responded that 3 dwellings had been approved.

A Cllr stated that the current bus turning area is very dangerous, and that this scheme has a lot of positives and negatives.

A Cllr commented that this site is not allocated in the local plan, so cannot support the application.

The Assistant Director of Strategic Planning and Regulatory Services commented that the relevant Neighbourhood Plan is at the very early stages.

A Cllr commented that the neighbourhood plan should have no weight and that the local plan still only has limited weight, and this type of scheme should be supported.

Cllr Baguley proposed to refuse the application, in line with officer's recommendation.

Cllr Cumbers seconded the motion for refusal, in line with officer's recommendation.

A Cllr queried the location of the allocated local plan site within the village.

The Assistant Director of Strategic Planning and Regulatory Services responded that the allocated site is on the other side of the A606, and is for the same number of dwellings at 10.

A Cllr commented that this scheme has a lot of positives, and that a refusal may be inconsistent with the earlier approval of a similar scheme in Pickwell.

A Cllr stated that this scheme has a lot going for it, and that without development the school and the village will die out. This scheme is similar to the approved scheme in Pickwell earlier this evening.

A Cllr commented that this scheme is very different to the approved scheme in Pickwell.

A Cllr commented that all members supported the local plan and site allocations at full council meeting, so now need to support the local plan.

A Cllr stated that this scheme is against the local plan, and extends out into the countryside.

A Vote was taken on the motion to refuse the application.

8 Councillors agreed with the motion.

2 Councillors opposed the motion.

1 Councillor abstained from the vote.

DETERMINATION: REFUSED, for the following reasons:

1. The proposed development would represent an unwarranted extension into the surrounding countryside which contributes to the village setting and would be detrimental to the rural character and appearance of the village, and detrimental to the character of the countryside. The proposal is therefore contrary to Policy OS2 and BE1 of the adopted Melton Local Plan, Policy SS3 and D1 of the Emerging Local Plan and the National Planning Policy Framework. It is not considered that there are material considerations present which suggest that the decision should depart from these policies.

PL86.6

17/01421/OUT

Applicant: Mr Robert Bindloss

Location: 37 Main Street, Great Dalby

Proposal: Erection of one three bedroom bungalow with additional detached garage.

The Case Officer (JL) reported that there were no late items to report.

Cllr Johnson, on behalf of the Parish Council, was invited to speak and stated that:

- There are concerns about this site
- There are a change in ground levels on the site
- There are surface water issues within the village
- There are right of way and footpath issues on this site
- This site is outside the village envelope
- Support the officer's recommendation for refusal of application
- This site used to be paddock land
- This is a greenfield site

Councillors had no questions for Cllr Johnson.

Robert Bindloss, the applicant, was invited to speak and stated that:

- There were five years of negotiation before buying this land
- Wife suffers from progressive Arthritis, so needs a bungalow
- Want to remain part of the village
- There was lots of rubbish and fly tipping on the site
- The footpath was previously unpassable
- Pond on site will be cleaned

- Footpath will be far larger than it is now
- The drainage and flooding issues nearby will be relieved
- The site is not overlooking neighbours
- There are no highways or traffic issues
- The two traffic issues on site were caused by drunk-driving and not due to other issues

A Cllr asked how the flooding issues would be relieved.

Mr Bindloss responded that there will be a land drain created and a new drainage system.

The Case Officer (JL) stated that there were no further updates.

A Cllr stated that there is a lot of back land development within the village, which is supported by PINS, and there has been a lot of appeals recently in the area.

A Cllr stated that in this application, the benefits do not outweigh the impacts.

A Cllr stated that if the scheme is well designed, it may not damage the conservation area, and that the current application is only an outline.

Cllr Wyatt proposed to permit the development, as there is no substantial harm from the site.

Cllr Posnett seconded the motion to permit, as there were no objections from any statutory consultees, the land is within their ownership and the footpath will not be an issue.

A Cllr raised concerns about the footpath width, as it looks quite narrow.

A Cllr responded that the footpath will now be alongside and the length of the driveway.

A Cllr stated that they cannot support the motion to permit, as it is against the officer's recommendation.

A Cllr stated that this application is only an outline application, so need more information before the impact on the conservation area can be accurately assessed.

The Case Officer (JL) stated that the conservation area is for a linear village, a fact which has been repeatedly been mentioned in appeals and appeal decisions.

A Cllr stated that they had concerns about the site access and the footpath.

A Vote was taken on the motion to permit the application.

**3 Councillors supported the motion.
8 Councillors opposed the motion.
0 Councillors abstained from the vote.**

The motion failed.

Cllr Faulkner proposed refusal, in line with the Officer's recommendation.

Cllr Cumbers seconded the motion for refusal, in line with the Officer's recommendation.

A Vote was taken on the motion to refuse the application.

**8 Councillors supported the motion.
2 Councillors opposed the motion.
1 Councillor abstained from the vote.**

DETERMINATION: REFUSED, for the following reasons:

1. The proposed development by virtue of infilling an important green open area which lies outside of the defined village envelope would not preserve or enhance the Conservation Area and would have a detrimental impact upon the character of the area contrary to the local plan policy OS2 and BE1. The proposal whilst providing some benefit or providing housing of a category to which the Borough is currently deficient is not considered to be of sufficient benefit to outweigh the provisions of the local plan and fails the core planning principles of the NPPF in particular Chapter 11 (Conserving and Enhancing the Natural Environment and Chapter 12 (Conserving and Enhancing Heritage Assets).

Cllr Botterill left that meeting at 20:04

PL86.7

17/01253/FUL

Applicant: Mr & Mrs Richard Botterill

Location: Church End, 29 Middle Street, 29 Middle Street, Croxton Kerrial

Proposal: Construction of new dwelling and alterations to existing access.

The Case Officer (GBA) reported that:

This is a full planning application for one house on land off Middle Street, Croxton Kerrial.

Two updates following the publication of the report:-

a) Two further separate representations from the residents of 27 Middle Street who maintain concern of how the size and position of the proposed building would be an overbearing impact on their home and view of the village from the approach. There is also concern of the windows of the proposed building will be directly visible to and from bedroom windows.

As previously commented, there is no objection to the principle of the building, rather the current size in relation to our home and the remainder of the village with suggested changes.

b) The parish council have responded showing an appreciation for the reduced the height of the house and the scale by removing the garage and changing the overall design. They have no objection to the house in principal but are concerned about the height, relationship to the Grade II* listed church and the impact on the northern entrance to the village. Consider it needs to be 'hankered down into the landscape with other suggestions made which align with the views of the MBC planning department.

Despite this the applicant wishes to have determination as the house currently sits and is designed.

This is a single dwelling proposal with all matters of design, access and landscaping for consideration. Whilst located in a sustainable village and therefore being acceptable in principle the specific location on this site is deemed to have an impact on the conservation area and the grade II* listed church. The development of this site would result in the loss of what is considered one of the most important aspects of green infrastructure within the conservation area, where the open, undeveloped nature of the site accommodates expansive views from the approach / departure into the village, and most significantly towards the adjacent Grade II* listed St John the Baptist Church.

For this reason on balance, it is considered that the benefits of one house in an area where there is many allocations for housing already does not outweigh the impacts of impact to the conservation area and listed building.

In reference to the concerns over neighbour amenity it is viewed that the 8.6m distance is sufficient for a one and half storey extension.

There is also no window proposed on this side to be considered an impact in terms of privacy.

However owing to the concerns of heritage impact, the application is recommended for refusal.

Richard Botterill, the applicant, was invited to speak and stated that:

- There is no adverse effect on the church
- No adverse effect on the conservation area
- No views of church from the proposal site
- 72m from site to the church
- Other approved applications have had a greater impact on the church
- It is in keeping with local buildings
- The building is set down into the site

- There is no policy protection on the site
- This application creates no harm
- There are lots of benefits to the application
- This will create a new building within the village to attract new villagers

A Cllr questioned the relative size of the dwelling

Mr Botterill responded that the dwelling is of a similar size to the neighbouring properties, and that he is happy to accept any conditions relating to this.

A Cllr queried the Parish Councils stance to the application.

Mr Botterill responded that the Parish Council is now neutral to the application, after the amended plans were submitted.

The Case Officer (GBA) confirmed that the Parish Council is now neutral to the application.

A Cllr queried whether there is a policy for agricultural need need within the local plan.

The Assistant Director of Strategic Planning and Regulatory Services responded that it relates to exceptional circumstances, and that the policy in the emerging Local Plan is very similar to NPPF paragraph 55.

A Cllr commented that this application has limited impact on the church when entering the village from the direction from Knipton.

A Cllr stated the agreement with the previous comments.

A Cllr stated that farmhouses need to be large dwellings, so had no issues with the proposed size of the dwelling.

A Cllr queried whether the dwelling classed as a farmhouse or not.

A Cllr answered that the new dwelling would be surrounded by their farmland. The Applications and Advice Manager responded that this application is not presented as agricultural need.

A Cllr stated that this application could be really nice, and create a good entrance to the village. It is Belvoir Estate land that is farmed, but that is not a planning issue. There is no garage included within this application.

The Case Officer (GBA) commented that the garage was removed when amended plans were submitted.

Cllr Wyatt proposed to permit the application, as there would be no adverse effects on the setting of the church or the conservation area.

Cllr Cumbers seconded the motion to permit. Cllr Cumbers proposed a condition that permitted development rights be removed from the new dwelling. Cllr Wyatt agreed to the condition.

A Cllr commented that this application will affect the church and agree with the Officer's report, so cannot support the motion to permit.

A Cllr commented that the ridge height had been reduced with the amended plans submitted.

A Vote was taken on the motion to permit.

8 Councillors supported the motion.

2 Councillors opposed the motion.

0 Councillors abstained from the vote.

DETERMINATION: PERMIT, subject to conditions the details of which were delegated to the Assistant Director of Strategic Planning and Regulatory Services, for the following reasons:

It is considered that the development would meet a housing need and there would be no adverse effects on the setting of the church or the conservation area or unacceptable impact on surrounding properties. The development was therefore in accordance with the requirements of the NPPF, adopted Local Plan and emerging Local Plan policies.

Cllr Botterill returned to the meeting at 20:21

PL86.8

17/01295/FUL

Applicant: Mr Michael Jackson

Location: Brook House, 6 Main Road, Twyford

Proposal: Storage Building

The Case Officer (JL) stated that:

No late items to report. Proposal is for a storage building, located in Flood Zone 3. The building is not within the residential curtilage of the property for which it is associated with and it is proposed that the building will be used to store general maintenance equipment. The application is before the committee as it is contrary to planning policy as it is outside the village envelope.

Mr Jackson was invited to speak, but was not present.

Cllr Holmes proposed to approve the application, in line with the Officer's

recommendation.

Cllr Wyatt seconded the motion to approve the application, in line with the Officer's recommendation.

A Vote was taken on the motion to approve the application.

11 Councillors supported the motion.

0 Councillors opposed the motion.

0 Councillors abstained from the vote.

The motion passed unanimously. The application was approved.

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

The adjacent land is used for recreation by the applicant, and the building is required for storage of equipment used to maintain the land. It is considered that given the relationship with the applicants dwelling, and the proposed siting, with adequate access from Main Street, that the proposed storage building for personal use is acceptable in this location. It has been demonstrated that there has not been a detrimental impact upon the countryside resulting from small scale development which is considered to be of appropriate design. Likewise the sensitive siting set well back from the highway ensures that the intrinsic character of the area is not harmed.

PL87

Appeal Update for 16/00100/OUT
Update for Appeal for application 16/00100/OUT

The Assistant Director of Strategic Planning and Regulatory Services distributed a new report for the appeal update for application 16/00100/OUT.

A Recess was taken at 20:29 to allow Councillors to read and take in the new report.

The meeting continued at 20:35.

Councillors are asked to note the findings from the report.

DETERMINATION: the content of the report was noted.

PL88

Urgent Business

A Cllr queried the timing of the next site visit, as it is scheduled to take place on Easter Monday.

The Applications and Advice Manager responded that the site visit will take place on Tuesday 3rd April instead of Easter Monday.

A Cllr stated that the Ward Councillor should be called on first in the debate, as

they are often more knowledgeable of the application and the area.

The meeting closed at: 8.39 pm

Chair