

# Minutes

<b>Meeting name</b>	<b>Planning Committee</b>
<b>Date</b>	<b>Thursday, 28 September 2017</b>
<b>Start time</b>	<b>6.00 pm</b>
<b>Venue</b>	<b>Parkside, Station Approach, Burton Street, Melton Mowbray, Leicestershire, LE13 1GH</b>

## Present:

**Chair** Councillor J. Illingworth (Chair)

**Councillors**

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

## **Observers**

**Officers**

Solicitor To The Council (SK)  
 Head of Strategic Planning and Regulatory Services  
 Regulatory Services Manager  
 Planning Officer (JL)  
 Administrative Assistant (AS)

Minute No.	Minute
PL39	<p><b>Apologies for Absence</b> Cllr Glancy (Substituted by Cllr Higgins)</p>
PL40	<p><b>Minutes</b> Minutes of the meeting held on 9th September 2017</p> <p>Approval of the minutes was proposed by Cllr Homes and seconded by Cllr Greenow. It was unanimously agreed, by the Members who were in attendance at the previous meeting, that the Chair sign them as a true record.</p>
PL41	<p><b>Declarations of Interest</b> Cllr Chandler declared a prejudicial interest in applications 17/00641/OUT OS Fields 8456, 7946 and 9744, Normanton Lane, Bottesford and 17/00800/FUL Barn Lodge Cottage, Saltby Road, Croxton Kerrial</p> <p>Cllr Botterill declared a prejudicial interest in application 17/00800/FUL Barn Lodge Cottage, Saltby Road, Croxton Kerrial</p> <p>Cllr Greenow declared a personal interest in application 16/00519/FUL Field OS 0044, Leicester Road, Frisby on the Wreake</p>
PL42	<p><b>Schedule of Applications</b></p>
PL42.1	<p><b>17/00641/OUT</b> Cllr Chandler left the room for the duration of application 17/00641/OUT at 6.07pm</p> <p>Applicant: Richborough Estates LLP Location: OS Fields 8456, 7946 and 9744 Normanton Lane, Bottesford Proposal: Outline application, with all matters other than access to be reserved for future approval, for residential development with associated access, community uses, landscaping, open space, drainage infrastructure and surface car park.</p> <p>(a) The Regulatory Services Manager stated that: <b>Update</b> <b>1. LCC Highways</b> Standard conditions and S106: Conds – sep farm access to the north</p> <ol style="list-style-type: none"> <li>a. Travel Packs; to inform new residents from first occupation what sustainable travel choices are in the surrounding area (can be supplied by LCC at £52.85 per pack).</li> <li>b. 6 month bus passes, two per dwelling (2 application forms to be included in Travel Packs and funded by the developer); to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the</li> </ol>

- car (can be supplied through LCC at (average) £360.00 per pass).
- c. Raised kerb provision at the nearest bus stop at a cost of £3,500 to support modern bus fleets with low floor capabilities.
- d. STARSfor (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000.
- II. e) A contribution toward the consultation process for implementing a 40mph speed limit, prior to the existing 30mph speed limit on Normanton Lane at a total of £7,500. (gateway feature to village – 30mph to north of site access) needs 40 mph buffer.

## **2. Letter from Bottesford Neighbourhood Plan Steering Group**

Presentation from applicants addressed where practicable previous comments and genuine attempt to make attractive proposition. If pp granted design (indicative layout) can be preserved by conditions:

**response** -Landscaping and biodiversity – conditions can only relate to the whole principle of development

Low ridge heights to north of site to reduce visual impact from the Beacon and from existing village response -

Set development back from Normanton Lane with adequate screening to reduce visual impact on approach to Bottesford. **response** - landscaping – conds 5 & 6; ecology (sth and nth boundaries) conds.12 & 15.

## **3. Clarification from applicants on details in committee report**

- S106 will not refer to closure of level crossing. It is a separate process to surrender crossing licences (material consideration – condition that it should be closed of within a specified period) - applicants will pay **£12,000 to improve boards at this crossing – via S106**

- new car park will not be managed by Network Rail – Management Company will look after this and all POS on the application site

- Network Rail expect to see, as part of benefits, **£112,000 to improve existing railway car park – do so via S106**

### **The application**

This application seeks outline planning permission for 88 dwellings and associated infrastructure. In line with local planning policy, the site will deliver affordable housing. In addition to the usual facilities and infrastructure required by this scale of development it is proposed that a new surface level car park for the railway station would be provided in the south –east of the site ,accessible to the station by a footbridge.

The application site is 5.75 ha of agricultural land situated to the northern edge of the built-up area of Bottesford. (C. 15 ha)

The western boundary of the site is defined by Normanton Lane, a bridleway runs along the eastern boundary and to the north is agricultural land. The Nottingham – Grantham railway line runs along the southern boundary, separating the site from the village.

**The application is in outline with only access considered at this time. The**

access is proposed on the western boundary of the site, from Normanton Lane.

It is considered that the main issues arising from this proposal are:

- Compliance or otherwise with the Development Plan and the NPPF Sustainable settlement (by any measure) adj railway station, LP and NP little weight.

Nos in LP reduced due to possible impact – detailed LVA study is convincing .so support 88 dwellings.

- Impact upon the character of the area ,open countryside and heritage assets

Some impact, other side of railway line, LVA supports, lower part of the site, LB (church is prominent and CA in Botts. Gap to Normanton 500m to first dwelling, 700m to main village – separated by brow of hill.

- Impact from rail noise

Noise report addresses the issue, subject to condition

- Impact upon highway and rail safety  
Highways OK (late receipt) and positive railway gains
- Sustainable development - as above

**In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a green field site, landscape impact and impact upon setting of village and heritage assets – are considered to be of limited harm.**

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 permission can be granted.

(b) Angela Smedley, agent on behalf of the applicant, was invited to speak and stated that:

- The scheme has undertaken extensive consultation and has the support of network rail.
- Numerous meetings with officers and the neighbourhood plan group which have shaped the indicative layout plan.
- Incorporated a large landscape set back from Normanton Lane to create an attractive entrance to the village.
- There will be a mixture of house types of varying ridge heights to create a village feel.
- Will protect sight lines to the church spire.
- Affordable housing. Large open space with childrens play areas.
- A new car park in the site managed by a management company and supported by network rail, alleviating existing pressures on Station Road.
- Enhancement to existing Station Road car park.
- Pedestrian crossing improvements.
- By facilitating access through the site for the farmer to the east we can close vehicle movements over the level crossing enabling it to become pedestrian

only at that point.

- No objections from statutory consultees.
- Considered to be deliverable in its entirety in a 5 year period.
- Social and economic benefits.
- No significant adverse effects on the environment.

A Cllr raised concerns regarding the amount of street furniture proposed for the entrance to the village and felt it should be more aesthetically pleasing.

Angela Smedley responded that having heard the consultation response this evening they would be willing to undertake different levels of street furniture to overcome this concern.

A Cllr asked who would be responsible for the car park.

Angela Smedley responded that it would form part of the S106 and a management company will be responsible for the car park as well as the open spaces.

A Cllr raised concerns regarding agricultural vehicles and equipment travelling through the village.

Angela Smedley responded that there would be no change to this so the agricultural traffic doesn't have to go across the level crossing.

A Cllr asked if the arterial road would be wider than a normal estate road especially when there is not enough drive ways.

Angela Smedley responded that there is no highway or technical objection. Angela Smedley's colleague stepped forward and provided the following further information - The road is proposed as 5 ½ metres wide through the middle of the site. It is a bendy road to prevent parking on the main route through the middle of the site. It is intentional along with the extra parking spaces to the houses. The road where the agricultural vehicles will come in and out is 6 ½ metres wide so there is an extra metre there.

A Cllr raised concerns regarding the amount of street furniture and if the application goes through they would like to see a condition to have a more aesthetically pleasing approach to village. Also if the proposed car park is chargeable commuters will park on the road.

A Cllr raised concerns regarding road safety as the road is straight through the site it looks like vehicles could get some speed up. They also asked if officers had taken in to consideration the recently built houses to ensure there were enough education places in junior and senior schools at Bottesford.

The Regulatory Services Manager referred to pages 10 and 11 of the committee report and noted that the education figure is up to date. There are no requirements at present but if other applications come up there may be a requirement in the

future.

A Cllr asked for clarification regarding the separation distances.

The Regulatory Services Manager responded that the separation distance from the northern end of the site and the first dwellings as you go in to Normanton is about 500m. Across the fields from the northern end of the site to the main village of Normanton is about 700m. It's separated by the rising land so there is a reasonable level of separation.

A Cllr offered their congratulations to Bottesford Parish Council that if the application is approved, the estimated costs of £50,000 towards the skate park will be met in full.

**Cllr Wyatt proposed to permit** the application.

**Cllr Posnett seconded** the proposal. It's a well thought out development. One concern regarding noise implications from the railway station being so close. When a more detailed application comes through would like to see proper protection for people with regard to noise.

A Cllr noted that the noise implications was a good point and also asked if the proposer and seconder would add a condition regarding a suitable entrance enhancement.

Cllr Wyatt as the proposer agreed to delegate to officers to come up with the relevant conditions.

The Regulatory Services Manager noted that it doesn't need to be a condition as officers will work together with the applicants and highways to ensure the entrance is aesthetically pleasing.

A Cllr commented that it needs to be clear who will be looking after the car park and if the road will be adopted.

The Regulatory Services Manager responded that the maintenance of the car park will be managed by a management company along with the open space covered by the section 106. The intention with the road is that it will be designed to the usual standard and will be adopted by highways..

A vote was taken and the Members voted unanimously to permit the application.

**Determination: PERMIT, subject to;**

**(a) Ta s106 covering the items set out in the Committee report**

**(b) Conditions , as set out in the committee report**

**For the following reasons:**

The Borough is not deficient in terms of housing land supply. The methodology used to demonstrate that there is a 5 year supply has included sustainable sites, such as this, which have been scrutinised as part of the evidence supporting the new local plan.

Affordable housing provision remains of the Council's key priorities. This application presents affordable housing that helps to meet identified local needs. Accordingly, the application represents a vehicle for the delivery of affordable housing of the appropriate quantity, in proportion with the development and of a type to support the housing need. Bottesford is considered to be one of the most sustainable locations in the Borough, with a good range of facilities and capacity to accommodate growth. It is considered that there are material considerations of significant weight in favour of the application, and its partial alignment with the Pre-submission Local plan adds additional support.

The site is considered to perform well in terms of access to facilities and transport links.

It is considered that balanced against the positive elements are the specific concerns raised in representations, particularly the development of the site from its green field state and the impact on the character of the rural village and approaches to it from the north and the relationship with Normanton and local heritage assets.

In conclusion it is considered that, on the balance of the issues, there are significant benefits accruing from the proposal when assessed as required under the guidance in the NPPF in terms of housing supply and affordable housing in particular. The balancing issues – development of a green field site, landscape impact and impact upon setting of village and heritage assets – are considered to be of limited harm.

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 permission should be granted.

PL42.2

**16/00519/FUL**

Cllr Chandler returned to the meeting at 6.44pm and Cllr Greenow left the meeting for the duration of application 16/00519/FUL.

Applicant: Mr Andy Gibson

Location: Field OS 0044, Leicester Road, Frisby on the Wreake

Proposal: Proposed Livestock Barn (Total floor area 450m<sup>2</sup>)

(a) The Head of Strategic Planning and Regulatory Services stated that: A last minute letter had arrived concerning the application.

A Cllr raised a question regarding the Farm Business Tenancy.

The Chair suggested that Members should read the letter and then hear the rest of the information and the speakers comments before further debate as the new information may answer this.

The meeting was adjourned at 6.49pm and reconvened at 6.53pm.

It was deemed that the contents of the letter overcame any concerns.

(b) Edward Hutchison, Ward Cllr for Frisby Ward, was invited to speak and stated that: The piece of land is 12 acres and 4 acres of this is fully owned by the applicant not rented. Remaining 8 acres are rolling grazing. The applicant has other land with an FBT for 5 years but not on this parcel of land. The applicant is looking to keep around 200 sheep and 20 cattle and is happy to sign a clause not to keep pigs on the land or anything that would create unpleasant smells. He is on good terms with the nearby dogs home and they have no concerns regarding the proposed barn. He has been farming for over 22 years and has been forced to move from existing farm. He bought this piece of land and the barn is being recycled from the old farm. It is essential to the business. It won't add to transport. The lane is designed for farm traffic. It is well supported and recommend permit.

There was a discussion regarding the size of the proposed barn and this was clarified by officers and the applicant.

**Cllr Posnett proposed to permit** the application and added that she was pleased to see the late letter and is a supporter of rural businesses. There are no objections from the local community.

**Cllr Botterill seconded** the proposal.

The Head of Strategic Planning and Regulatory Services reminded Members that approval would also be subject to the blessing of environmental health.

The proposer and seconder agreed with this.

A Cllr noted that within a 400 yard radius the proposal incorporates a lot of other housing and that the Ward Cllr should be informed of that.

The Chair noted that it can be achieved.

A Cllr asked if someone would be on site at all times, possibly in a caravan, as someone would need to be there in lambing season.

The Chair responded that he understand the concerns regarding animal welfare however they were not a planning consideration and would be a matter for environmental health.

A vote was taken. 8 Members voted for approval, 1 Member voted against and



there was 1 abstention. Cllr Chandler asked for her vote against to be recorded.

**Determination: PERMIT, subject to:**

**(a) Confirmation from Environmental Health that the proposals for the keeping of animals and management arrangements would not give rise to a nuisance to nearby residents;**

**(b) Conditions, the content of which was delegated to the Head of Strategic Planning and Regulatory Services, to include the appropriate site management measures as advised by Environmental Health to avoid a nuisance from occurring.**

PL42.3

**17/00800/FUL**

Cllr Greenow returned to the meeting at 7.10pm and Cllr Chandler and Cllr Botterill left the meeting for the duration of application 17/00800/FUL.

Applicant: Rutland Property Company Ltd – Mr Mark Woods

Location: Barn Lodge Cottage, Saltby Road, Croxton Kerrial NG32 1QG

Proposal: Erection of four poultry buildings

(a) The Head of Strategic Planning and Regulatory Services stated that:

Various responses from agencies:

- Ecology; The report (Emms and Barnett, May 2017) is acceptable, there were no habitats of importance recorded on the site. No protected species were recorded although there are several ponds within 500m of the site with varying degrees of habitat suitability, the application site is of suboptimal habitat and is therefore of low potential to support Great crested newts.
- Historic England : no comment – rely on local advice.
- Highways: Access and sightline improvements required under the 2012 permission have not yet been implemented and can be the subject of enforcement (details supplied). Propose an additional new condition to capture this and require improvement now:  
*Prior to first use of the development hereby permitted, a scheme of access improvements including visibility splays shall be constructed in accordance with a drawing that shall have first been submitted to and approved in writing by the Local Planning Authority.*
- Archaeology: not satisfied with the extent of arch. investigations to date. Request trial trenching and analysis of the results before deciding whether to proceed with conditions or oppose.

In the light of these comments recommend we proceed as drafted, plus the highways condition recommended, but subject to the completion of trial trenching and the archaeological advisors confirming the findings show it is satisfactory to proceed (otherwise return to Committee).

(b) Sam Harrison, agent on behalf of the applicant, was invited to speak and stated that: assured Members that the application would be managed to the highest standards of food safety animal welfare. No detrimental impact for birds or local residents. Birds would have freedom to move

within the barn and their bedding would be frequently replenished. The barns are low in height to limit visual intrusion.

A Cllr asked for the current storage method for removing soiled bedding.

Sam Harrison responded that there is no permanent storage on site as the applicant doesn't have requirement for it. It is removed by another company. There are 8 flocks per annum, so it is cleaned 8 times per year.

**Cllr Holmes proposed to permit** the application, subject to archaeology and delegate to officers recommendations.

**Cllr Higgins seconded** the proposal and noted how well the food hygiene and safety standards were upheld during the site visit.

A vote was taken and the Members voted unanimously to permit.

**Determination: PERMIT, subject to:**

**(a) The results of trial trenching being received and consultation with archaeological advisors resulting in no objection.**

**(b) The conditions as set out in the report with an amended condition as follows:**

*Prior to first use of the development hereby permitted, a scheme of access improvements including visibility splays shall be constructed in accordance with a drawing that shall have first been submitted to and approved in writing by the Local Planning Authority.*

**For the following reasons:**

**The proposed poultry buildings and associated buildings will be designed to have a minimal view in the landscape. The impact of the traffic will be restricted mainly to the time when such activities would be anticipated in the countryside and the Highways Authority have no objections. The NPPF supports rural economic growth. Accordingly the application presents the need to balance economic growth considerations with those of sustainable development.**

**The proposal is not considered to adversely impact on the character and appearance of the area, the residential amenities of neighbouring properties or highway safety and would represent an improvement from the previous use in terms of traffic generation and policy objectives.**

PL42.4

**17/00527/REM**

Cllr Botterill and Cllr Chandler returned to the meeting at 7.24pm

Applicant: Mr Mark Gale

Location: Land Between Saxons Lea and 18 Leesthorpe Road, Pickwell

Proposal: Residential development of five terraced cottages and single detached dwelling

(a) The Planning Officer (JL) stated that: Late representations: (Some of these

- are repeated from the original comments).
- Concerns re parking – only 2 spaces per dwelling proposed, no provision for third vehicle or visitor parking.
- Development is too large for the site.
- Increase in traffic is a serious hazard – recent head on collision.
- PC demonstrated need for 2 bed, not 3 bed properties.
- Affordable housing appears to have been withdrawn from the application.
- No indication that materials to be used will be in keeping with the village.
- Applicant aware of the objections and emphasised should revert back to original plans.
- Although no of bedrooms reduced from 19 to 15, don't think this will have any impact on no. of vehicles.
- Visibility difficult with hedges.
- Car parking spaces are too narrow.
- Want the mature ash trees in the boundary hedge retained.

PC comments –

The Parish Council objected to the first draft of 17/00527/REM due to the unacceptable increase in bedroom numbers. We are satisfied with the amendments made in the revised application and hence we have voted to approve it, on the understanding that one of the houses is to be an 'affordable' property. As the developer has made alterations to the scheme since, it is the Parish Council's desire that the REM application only be granted permission if certain design constraints are to be met.

- Satisfied with the proposed external and internal layouts.
- Wish to seek that existing trees in the site boundaries are retained – want additional protection and include TPO on all trees within the site .
- Application shows no detailed design. Wish to see more design detail prior to approval of the design and also want it to be possible for the PC to give approval . Want the development to be “cottage” in design.
- Wish to roof pitch altered from 45 – 40 degrees.
- Design is monolithic and unimaginative. Lacks chimneys and form of detail.
- No mention of materials and conditioned that LPA approves materials in report. This is insufficient and would like to engage with the applicant prior to the submission of materials for LPA and PC approval.
- We would wish to see a rubble stone façade with brick on the side and rear elevations, roofing should be welsh slate or clay pantiles (new or reclaimed) with ridge tiles to match, rainwater goods to have a traditional appearance and include detailing such as hoppers on the front elevations.
- Whilst the proposal conforms with the CHA's 6C's guidance in respect of parking, we are informed that Parishioners would wish to have a parking space per bedroom Furthermore, there is no visitor parking included within the scheme. We would therefore look to the council to impose a condition to include an additional car parking space in plots 1 & 5 and visitor parking on the grassy area to the south of the access road (shown hatched below) – loss of green space/ landscaping, detrimental to the visual amenity of the area .
- We would wish to see gravel driveways and paths rather than block paving,

this will also help alleviate run-off which is concern for adjacent residents. – Not encouraged, gravel would result in material to the highway, is not normally encouraged. Also may result in noise issues.

Response from the Agent/ applicant –

- Noted the comments raised in the representation made by the PC.
- Design of the properties is such that they accommodate flexible modern family living, whilst making them adaptable for residents with specific mobility constraints. One of the dwellings has been allocated as to be sold at 20% below market value to provide a low cost house with in development.
- It is the intention to use existing boundary treatments to screen the new dwellings from existing dwellings and the highway.
- The design of the proposed dwellings reflects the typical design of terraced cottages within the locality. It is intended that the windows are cottage style in design, full opening casements with manufacturer installed vents to comply with current building regulations. There will be closed soffits and soldier coursing detail above windows and doors on the front elevations of the dwellings
- The linear design if the terrace is intended to mirror similar terraces of cottages within the village. It is not intended to install open fires in the new dwellings as this greatly reduces the energy efficiency of them.
- All materials are to be approved by Melton Borough Council prior to development commencing.
- Plots 1 and 5 will be able to accommodate an additional parking space, to provide one parking space per bedroom as suggested. It is intended that the drives are finished with a permeable material such as gravel as suggested. Whilst it is necessary to provide sufficient parking for the residents of the dwellings within the development, the green open space to the front of the terrace is an important element of the planning requirement.

(b) Cllr Pat Fynn, on behalf of Somerby Parish Council, was invited to speak and stated that:

- development is important
- Small organic development without adverse impacts
- increasing number of young families living in the village
- medium size units and affordable homes
- families wish to continue living in their own community
- still in keeping and with a proven need
- careful consideration of design
- will benefit the whole community

(c) Keith Ebsworth, on behalf of the objectors, was invited to speak and stated that: there were concerns regarding –

- road safety and visibility
- insufficient parking and no parking for visitors
- drainage
- loss of trees and bushes when widening the road

- close to the boundary making property gloomy
- doubt affordable properties will sell
- village doesn't have any facilities and is not sustainable
- public transport is scarce

A discussion took place regarding screening and existing boundaries and the ownership of a hedge.

A Cllr raised a query regarding TPO's.

The Planning Officer (JL) responded that the parish council had requested it as part of their late representation but it's up to the committee if they want to proceed with TPO's.

A Cllr raised concerns regarding access to the private road of Saxons Lea and also the height level of the site and asked if it could be level with the road as the land rises there.

The Chair responded that access via the private road is for the developer and the owner of the road to agree. If they don't agree it would need to be a new application with a different access.

A Cllr commented that they believed the applicant had sent in amended plans and added 3 parking spaces which would equate to a parking space per bedroom.

The Planning Officer (JL) noted that they had not received any amended plans.

A Cllr felt that conditions regarding screening and materials should be added. False chimneys could be put on. Concerns regarding the double garage on a 3 bed house. Do not want this to come back any larger.

The Chair reminded Members of condition 2 and that enforcement would then be involved if this wasn't adhered to.

Cllrs raised concerns regarding the road surface and the use of gravel. Felt it should be a permeable surface.

**Cllr Greenow proposed to defer** the application until Members have details of the materials.

The Chair noted that we have in the past invited the Ward Cllr and Parish Cllr to be involved in this process.

**Cllr Greenow retracted his proposal** and suggested that perhaps a proposer would consider adding this condition.

A Cllr noted that if they couldn't agree a material it would come back for Members to decide.

**Cllr Wyatt proposed to permit** the application and leave the materials and conditions to the officers, Ward Cllr and the Parish Cllr. Also asked for a condition regarding permeable road surface.

**Cllr Cumbers seconded** the proposal but only if permitted development rights were removed.

Cllr Wyatt as proposer agreed.

The Planning Officer (JL) advised that both the surfacing materials and permitted development issues were already addressed in the recommendation under conditions.

Several Cllrs shared concerns regarding the size of the garage, design and materials.

Cllr Holmes proposed deferral due to concerns regarding the driveway, the water run off and the speed of traffic.

The Chair advised Members that they needed to proceed with the proposal to permit first.

A Cllr asked where the starter home was.

The Planning Officer (JL) responded that the application still refers to a starter home and will be provided . Conditions on the outline application are still carried over.

Cllr Greenow requested if the proposer would add an amendment to condition 1 to move the development along more quickly.

Cllr Wyatt, the proposer, disagreed.

A vote was taken. 8 Members voted in favour of approval and 2 Members voted against. There was 1 abstention.

**Determination:**

**(a) PERMIT**, subject to the conditions as set out in the report;

**(b)** Discharge of condition 3 (materials) delegated to The Head of Strategic Planning and Regulatory Services in consultation with the Ward Councillor and Parish council.

For the following reasons:

The principle of development had previously been approved at outline application stage. Following the receipt of amended plans, the proposed

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dwellings would provide smaller dwellings, suitable for first time buyers and those wishing to downsize. This size of property is considered to be in need in the Parish

and wider Borough area.

PL42.5

**17/00972/FUL**

Applicant: Mr Ross Whiting

Location: Eastcote, 91 Grantham Road, Bottesford

Proposal: Proposed Garage (Part Retrospective) (Resubmission of 17/00047/FUL)

(a) The Head of Strategic Planning and Regulatory Services stated that: there are no updates to the report.

(b) Mrs Shelagh Woollard, on behalf of the objectors, was invited to speak and stated that:

- the garage is the same size and in the same place as the one previously refused. The only difference is that conifers rather than laurels have been planted on the southern side.
- the strong building line has not changed.
- the garage protrudes 10 metres in front of this building line.
- the conifers are already above the height of the ground floor windows.
- the trees and hedgerows were conditioned to remain but were grubbed up.
- visible from the road, farm track and service road.
- would not improve the character and quality of the area.
- roof not covered in sedum. Covered in astro turf instead.
- Unauthorised development.
- does not comply with the NPPF.

(c) George Machin, agent on behalf of the applicant, was invited to speak and stated that:

- the garage is not visible as there is planting round it.
- lower than a boundary fence.
- a larger garage would have been visible.
- it will have a sedum roof when fully complete.
- the garage is a significant distance away from neighbouring properties and modest in comparison to the house.
- the garage is necessary and needed. Providing essential storage for lawnmowers, bbq's etc.
- libellous reports by the immediate neighbours.
- the application is retrospective as the applicant thought it was covered by permitted development rights.

A Cllr commented that there have been numerous applications and enforcement cases for this property and wanted clarification that this would be the end of it.

George Machin responded that the most recent enforcement case had been quashed and there had been a lot of complaints which have been unwarranted or exaggerated.

A Cllr asked George Machin to go on the record that it wouldn't come back to

committee again.

Mr Machin agreed.

The Head of Strategic Planning and Regulatory Services reminded Members of the enforcement history.

A Cllr commented that it was planning by stealth. There have been numerous complaints and not just from the immediate neighbours. The drains are higher so that water couldn't get in them. Concerned regarding access to plot 2. They could take away trees when they like. An orangery was built on the back which was retrospective as they had assumed it was permitted development again.

**Cllr Greenow proposed to permit** that application as there is no planning reason to refuse.

**Cllr Posnett seconded** the proposal.

A Cllr asked for more information on the previous appeal.

The Head of Strategic Planning and Regulatory Services noted that it is in the report. Differences in the size of the garage, screening and it is set further back.

A vote was taken. 4 Members voted for permit and 2 voted against permit. There were 5 abstentions. Cllrs Cumbers, Higgins, Holmes, Botterill and Baguley asked for their abstentions to be recorded. Cllr Chandler and Faulkner asked for their votes against to be recorded.

**Determination: PERMIT, subject to the conditions set out in the report.**

**For the following reasons:**

**The proposal is now considered to overcome the reasons for refusal in the initial application and the appeal decision. The reduced scale of the proposed garage and the subsequent development of the site makes the proposal acceptable. The further positive aspect of the development providing secure off street parking provision also weighs in favour for the development.**

PL43	<b>Urgent Business</b> None
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The meeting closed at: 8.23 pm

Chair