

MINUTES of a meeting of the PLANNING COMMITTEE held in the Council Chamber, Council Offices, Coalville on TUESDAY, 5 SEPTEMBER 2017

Present: Councillor D J Stevenson (Chairman)

Councillors R Adams, R Boam, J Bridges, R Canny, J Cotterill, J G Coxon, D Everitt, D Harrison, J Hault, G Jones, J Legrys, P Purver, V Richichi, S Sheahan (Substitute for Councillor R Johnson), M Specht and M B Wyatt

In Attendance: Councillor T J Pendleton

Officers: Mr R Duckworth, Mr C Elston, Mr A Mellor, Mrs M Meredith, Mr J Newton and Miss S Odedra

28. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R Johnson.

29. DECLARATION OF INTERESTS

In accordance with the Code of Conduct, Members declared the following interests:

Councillor V Richichi declared a pecuniary interest in item A3, application number 15/01064/OUT, as the owner of an adjacent property.

Councillor R Boam declared that he had been lobbied without influence in respect of item A5, application number 17/00395/FUL.

Councillors J G Coxon, J Hault and G Jones declared a non-pecuniary interest in items A1, A6 and A7, application numbers 17/00635/3FD, 17/00885/FUL and 17/00830/FUL as members of Ashby Town Council.

Councillor J Legrys declared that he had been lobbied without influence in respect of items A2 and A3, application numbers 16/00718/OUT and 15/01064/OUT.

30. MINUTES

Consideration was given to the minutes of the meeting held on 1 August 2017.

It was moved by Councillor J G Coxon, seconded by Councillor R Adams and

RESOLVED THAT:

The minutes of the meeting held on 1 August 2017 be approved and signed by the Chairman as a correct record.

31. PLANNING APPLICATIONS AND OTHER MATTERS

Consideration was given to the report of the Head of Planning and Regeneration, as amended by the update sheet circulated at the meeting.

Chairman's initials

- 32. A1**
17/00635/3FD: CHANGE OF USE OF FLAT 4 TO A NWLDC HOUSING DEPARTMENT 'HUB OFFICE' FOR USE BY STAFF ONLY
 4 Hood Court North Street Ashby De La Zouch Leicestershire LE65 1HY

Officer's Recommendation: PERMIT

The Planning and Development Team Manager presented the report to members.

Mr C Lambert, applicant, addressed the meeting. He stated that the issue in respect of car parking, which was the main area of concern highlighted in the consultation exercise, had now been addressed to the satisfaction of residents. He added that there was some work to do in respect of the detail of the transitional arrangements, however this was in hand and he trusted that members were now in a position to reach a decision.

It was moved by Councillor R Adams, seconded by Councillor G Jones and

RESOLVED THAT:

The application be approved in accordance with the recommendation of the Head of Planning and Regeneration.

- 33. A2**
16/00718/OUT: ERECTION OF UP TO SEVEN DETACHED SINGLE STOREY DWELLINGS (OUTLINE - WITH ACCESS INCLUDED FOR DETERMINATION)
 Land Adjacent To 30 Ashby Road Packington Ashby De La Zouch Leicestershire LE65 1TD

Officer's Recommendation: REFUSE

The Planning and Development Team Manager presented the report to members.

Mr C Miles, Parish Councillor, addressed the meeting. He stated that the Parish Council supported the officer's recommendation and would want this application to be refused. He added that that this was also the case for subsequent item.

Mr S Clarke, agent, addressed the meeting. He stated that there were no sustainable objections from statutory consultees or third parties and no issues of material substance had been raised in the letter of objection and the negative response from the Parish Council. He added that there were no objections in respect of protected species ecology, the River Mease, drainage and flood risk, highway safety, residential amenity, archaeology, design or layout. He made reference to the balance to be struck between the National Planning Policy Framework, the adopted local plan and the submitted local plan. He commented that significant weight had been given to the submitted local plan, whereas little weight had been given to national policy. He added that at present, the only approved and published local planning policy document was the adopted local plan and that its policies must be deemed out of date by any reasonable measure. He added that the submitted local plan had been submitted for examination but was not yet approved, and he made reference to the inspector's statement at the Roscon appeal where the inspector at the time stated that little if any weight should be given to the submitted local given the early stage that it had reached. Mr Clarke felt that the application was fully deserving of an approval and the presumption in favour of approval applied.

Councillor D Harrison referred to the robust defence for the application made by the agent and asked officers to respond to the comments made. He added that he was not aware whether there was a need for bungalows in Packington as it was a very well established

Chairman's initials

area. He expressed support for the recommendation in light of the importance of the submitted local plan and due to the application being outside Limits to Development.

The Head of Planning and Regeneration explained that the development plan was the starting point, and if a proposal was contrary to the development plan, the presumption was that the application would be refused unless there was a material consideration that suggested otherwise. He added that the National Planning Policy Framework was a material consideration. He made reference to the significant number of recent appeals where the site was outside the Limits to Development, and therefore contrary to the development plan, and advised that all of these appeals had been dismissed with the exception of the Roscon appeal. He added that all of these appeals had taken account of the National Planning Policy Framework. He stated that it was a matter of fact that this site was outside the Limits to Development in the adopted and submitted local plan and officers, in their professional opinion, did not consider that the scheme merited contravening the development plan as the application did not outweigh the demonstrable harm. He added that the submitted local plan was at a very advanced stage and, as such, it did carry some weight. He concluded that both local plans should be taken into account when making a decision.

It was moved by Councillor J Legrys, seconded by Councillor J Hout and

RESOLVED THAT:

The application be refused in accordance with the recommendation of the Head of Planning and Regeneration.

34.

A3

15/01064/OUT: ERECTION OF THREE DWELLINGS AND ASSOCIATED WORKS (OUTLINE - ACCESS AND LAYOUT INCLUDED)

Land At Spring Lane Packington Ashby De La Zouch Leicestershire LE65 1WU

Officer's Recommendation: REFUSE

Having declared a pecuniary interest, Councillor V Richichi left the meeting during consideration of this item and took no part in the discussion or voting thereon.

The Planning and Development Team Manager presented the report to members.

Mrs M Mugglestone, applicant, addressed the meeting. She felt that the site would provide the sort of small development being encouraged by the government to help villages like Packington thrive. She made reference to previous indications given by officers that they would support the application, however issues with the River Mease meant that all planning applications had been further delayed. She referred to subsequent applications which had been heard out of order once the issues had been resolved and added that the outcome of the Normanton Road appeal on land opposite her site was being used as a precedent against her own application. She stated that the development would represent a continuation of the built form and would have no impact upon the open countryside. She commented that refusal of the application would leave this site as the only undeveloped pocket of land between the properties on Spring Lane. She requested members to look favourably on the application.

Councillor R Canny acknowledged the points raised by the applicant. She emphasised the importance of preserving the development plan and stated that she could not support the application as the site was outside the Limits to Development.

Chairman's initials

Councillor G Jones expressed support for the application and raised detailed questions about a paragraph in the officer's report. He fully supported the statement made by Mrs Mugglestone.

It was moved by Councillor D Harrison, seconded by Councillor J Bridges and

RESOLVED THAT:

The application be refused in accordance with the recommendation of the Head of Planning and Regeneration.

Councillor V Richichi returned to the meeting.

**35. A4
17/00629/FUL: CHANGE OF USE FROM HOUSE (C3) TO HOUSE IN MULTIPLE
OCCUPATION (SUI GENERIS) INCLUDING TWO STOREY SIDE AND REAR
EXTENSIONS**

5 Broadhill Road Kegworth Derby DE74 2DQ

Officer's Recommendation: PERMIT

The Planning Officer presented the report to members.

Councillor H Tansley, Parish Councillor, addressed the meeting. She emphasised that the development was not acceptable in the local context. She expressed concern in respect of parking and traffic and highlighted that only 3 of the 5 parking spaces provided would be accessible from the road. She added that Kegworth was unusual in that there was a high level of occupation by students from Nottingham who were not recognised in the HEDNA, as well as staff at the airport who worked unsocial hours and construction workers of the nearby major development. She added that the students in Kegworth also relied upon cars to enable them to carry out their veterinary training. She stated therefore that the Parish Council did not accept the assessment that not all occupants would have a car. In respect of the concerns relating to traffic and parking on Broadhill Road, she reported that there had been two minor incidents in the last three years and traffic had worsened since the closure of Ashby Road. She stated that the Parish Council therefore considered the traffic movements on this road to be a real concern and any further street parking would exacerbate the problem.

Councillor D J Stevenson confirmed that members had visited the site.

It was moved by Councillor J G Coxon and seconded by Councillor J Bridges that the application be permitted in accordance with the officer's recommendation.

Councillor D Harrison stated that he would support the application but he expressed concern in respect of the additional vehicles on the road. He felt that more ought to be done to ensure developers were providing adequate parking.

The Head of Planning and Regeneration advised that the Highways Authority had been specifically consulted on the parking provision and had responded that they were content. He reassured members that officers were considering long term solutions and methods of working with partner agencies to prevent a problem.

Councillor J Legrys expressed concerns in respect of the design, the increase in the number of houses in multiple occupation in Kegworth and the community discord created by parking on residential streets. He felt that he could not support the proposals on the principle that this issue needed to be resolved, through purpose-built student accommodation.

Chairman's initials

Councillor J Bridges shared the views raised by Councillor Harrison and Councillor Tansley and expressed criticism for the manner in which the Highways Authority had interpreted the 6Cs Design Guide, although appreciated that the Council's officers had considered this application in detail. He formally withdrew his support for the motion.

Councillor D Harrison then seconded the motion to permit the application in accordance with the officer's recommendation.

Councillor R Canny expressed concerns that Kegworth was losing its identity. She felt that the proposals represented overintensification of the site and there was insufficient parking provision.

The Head of Planning and Regeneration clarified that for the purposes of the application this dwelling was a shared house, not specifically for occupation by students.

The Chairman then put the motion to the vote and it was declared LOST.

Following advice from the Head of Planning and Regeneration, it was moved by Councillor J Legrys, seconded by Councillor R Canny and

RESOLVED THAT:

The application be refused on the grounds that the proposals represented overintensification of the site.

36.

A5

17/00395/FUL: CONVERSION OF AGRICULTURAL OUTBUILDING TO A DWELLING HOUSE

87 Loughborough Road Coleorton Coalville Leicestershire LE67 8HH

Officer's Recommendation: PERMIT

The Planning Officer presented the report to members.

The Chairman made reference to the complaints received in respect of burning on the site which had been reported to the Environmental Health team. He commented that it would be in the applicant's interests to clear this up.

In response to a question from Councillor M Specht, the Planning Officer explained that the indicative plan was inaccurate and clarified the positioning of the point of access.

It was moved by Councillor J Legrys, seconded by Councillor R Boam and

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Head of Planning and Regeneration.

37.

A6

17/00885/FUL: ERECTION OF A TWO STOREY REAR EXTENSION AND SINGLE STOREY REAR EXTENSION

16 Nottingham Road Ashby De La Zouch Leicestershire LE65 1DQ

Officer's Recommendation: PERMIT

The Senior Planning Officer presented the report to members.

Chairman's initials

It was moved by Councillor J Bridges, seconded by Councillor J Legrys and

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Head of Planning and Regeneration.

38.

A7

17/00830/FUL: PROPOSED REDEVELOPMENT OF THE FORMER HEALTH CENTRE SITE TO FORM AN EXTENSION TO THE NORTH STREET CAR PARK

Former Health Centre North Street Ashby De La Zouch Leicestershire LE65 1HU

Officer's Recommendation: PERMIT

The Senior Planning Officer presented the report to members.

Mr P Boddington, objector, addressed the meeting. He made reference to the lack of a dedicated drop off point, as a consequence of which, delivery vehicles were forced to stop in the road, blocking the traffic flow. He felt that the proposals made access to the main entrance even more difficult and he urged officers to reconsider. He added that cars often entered the car park through the exit and crossing the road to the leisure centre would be easier if a central island were installed. He made reference to the elderly people using the junction and the Council's duty of care to its elderly residents.

Mr C Wood, agent, addressed the meeting. He stated that there had been a lot of professional input into the design of the car park using up to date legislation and design guidance which would deal with the concerns raised by Mr Boddington. He highlighted the dedicated ambulance pick up point right outside the door of the centre which was a huge improvement on the current design. He added that improvements to the signage and design of the exit were being carried out to prevent vehicles entering through the exit. He highlighted that the residents of Hood Court themselves had been involved and numerous meetings with residents had taken place and would continue to ensure the concerns raised by residents were addressed. He added that all stakeholders had been involved in the process.

Councillor J Hoult moved that the application be permitted in accordance with the officer's recommendation. This was seconded by Councillor G Jones.

Councillor J Legrys stated that he would be supporting the proposition, however he commented that the site would require a considerable amount of demolition work which would require a number of large vehicles. He expressed concerns in respect of the parking arrangements and proposed that there should be a condition requiring the contractor to work in conjunction with officers, the Town Council and residents to discuss how deliveries and the demolition would take place. He highlighted his previous experience with poor contractors parking inconsiderately, blocking main roads and deterring residents from parking near their own homes. He requested a similar arrangement to the Pick and Shovel development.

The Head of Planning and Regeneration agreed that it was in everyone's interests to ensure that the construction and demolition process was carried out in a considerate way. He recommended that the motion be amended to include an additional planning condition to require a demolition and construction management plan.

This was agreed by the proposer and seconder of the motion.

Chairman's initials

Councillor P Purver supported the proposals, however she expressed concern that the layout of the parking spaces encouraged reversing out of parking spaces. She asked if the layout had been decided.

The Head of Planning and Regeneration advised that the layout had been considered with expert input. He added that reversing was inevitable at some point and therefore he did not feel the proposed layout created an unacceptable risk in what would be a low-speed environment.

In response to a question from Councillor R Canny, the Senior Planning Officer advised that the conditions listed in the report were standard matters, and the only outstanding matter which needed to be addressed was the implications of the development on the highway at weekends.

The Chairman stated that this matter should be delegated to officers.

It was moved by Councillor J Hault, seconded by Councillor G Jones and

RESOLVED THAT:

- a) Subject to an additional condition in respect of a demolition and construction management plan, the application be permitted in accordance with the recommendation of the Head of Planning and Regeneration.
- b) The wording of the condition be delegated to the Head of Planning and Regeneration.

The meeting commenced at 4.30 pm

The Chairman closed the meeting at 5.39 pm

Chairman's signature