

MINUTES of a meeting of the PLANNING COMMITTEE held in the Council Chamber, Council Offices, Coalville on TUESDAY, 7 OCTOBER 2014

Present: Councillor D J Stevenson (Chairman)

Councillors R Adams, G A Allman, A Bridges (Substitute for Councillor J G Coxon), J Bridges, D Everitt, T Gillard, J Hoult, D Howe, R Johnson, G Jones, J Legrys, N Smith, M Specht, L Spence (Substitute for Councillor T Neilson), R Woodward and M B Wyatt

In Attendance: Councillors D De Lacy, J Geary and T J Pendleton

Officers: Mr S Bambrick, Mrs V Blane, Mr C Elston, Mrs H Exley, Mrs C Hammond, Mr J Mattley and Mr A Mellor

## **51. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J G Coxon and T Neilson.

## **52. DECLARATION OF INTERESTS**

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

Councillors J Bridges and J Hoult declared that they had been lobbied without influence in respect of items A1 and A2, application numbers 14/00535/FULM and 14/00574/OUT.

Councillors R Adams, G A Allman, G Jones and N Smith declared that they had been lobbied without influence in respect of items A1, application number 14/00535/FULM.

Councillors D Everitt and M Specht declared that they had been lobbied without influence in respect of items A1, A2 and A4, application numbers 14/00535/FULM, 14/00574/OUT and 14/00328/OUTM.

Councillor T Gillard declared that he had been lobbied without influence in respect of items A1, A4 and A7, application numbers 14/00535/FULM, 14/00328/OUTM and 14/00248/FUL.

Councillors L Spence and M B Wyatt declared that they had been lobbied without influence in respect of items A1 and A4, application numbers 14/00535/FULM and 14/00328/OUTM.

Councillor R Johnson declared that he had been lobbied without influence in respect of item A1, application number 14/00535/FULM and also a disclosable non-pecuniary interest in item A6, application number 14/00580/FUL as a member of Hugglescote and Donington le Heath Parish Council.

Councillor J Legrys declared that he had been lobbied without influence in respect of items A1, A2 and A6, application numbers 14/00535/FULM, 14/00574/OUT and 14/00580/FUL, and also a disclosable non-pecuniary interest in item A3, application number 14/00681/FUL as he had been involved in the application as Ward Member. He stated that he would speak to the item and then leave the meeting for the consideration and voting.

Councillor R Woodward declared that he had been lobbied without influence in respect of item A1, application number 14/00535/FULM and also a disclosable non-pecuniary interest in item A7, application number 14/00248/FUL as he had been involved in the application as a Ward Member. He stated that he would speak to the item and then take no part in the consideration and voting.

Chairman's initials

Councillor D Howe declared that he had been lobbied without influence in respect of item A1, application number 14/00535/FULM and also a disclosable non-pecuniary interest in item A7, application number 14/00248/FUL as a member of the club.

Councillor D J Stevenson declared that he had been lobbied without influence in respect of items A1, A2, A3, A4, A5 and A6, application numbers 14/00535/FULM, 14/00574/OUT, 14/00681/FUL, 14/00328/OUTM, 14/00723/FUL and 14/00580/FUL.

During the consideration of item A4, application number 14/00328/OUTM, Councillor R Woodward declared a disclosable non-pecuniary interest in the item as the Chairman of the Community Centre Executive Board.

During the consideration of item A7, application number 14/00248/FUL, Councillor T Gillard declared a disclosable non-pecuniary interest in the item, as a member of the club.

### **53. MINUTES**

Consideration was given to the minutes of the meeting held on 2 September 2014.

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

RESOLVED THAT:

The minutes of the meeting held on 2 September 2014 be approved as a correct record and signed by the Chairman.

### **54. PLANNING APPLICATIONS AND OTHER MATTERS**

Consideration was given to the report of the Director of Services, as amended by the update sheet circulated at the meeting.

### **55. A1**

**14/00535/FULM: INSTALLATION OF GROUND MOUNTED PHOTOVOLTAIC SOLAR ARRAYS TO PROVIDE 13.88MW GENERATION CAPACITY TOGETHER WITH POWER INVERTER SYSTEMS; TRANSFORMER STATIONS; INTERNAL ACCESS TRACK; LANDSCAPING; DEER FENCING; CCTV AND ASSOCIATED ACCESS GATE**  
Land South Of Babelake Street Packington Ashby De La Zouch

Officer's Recommendation: PERMIT

The Senior Planning Officer presented the report to Members.

Mr T Collins, objector, addressed the meeting. He advised Members that the application was contrary to the Local Plan and NPPF, and that brownfield sites should be considered first. He stated that there was no justification to permitting the application and that it would be the size of seventy five football pitches. He informed Members that no impact assessment had been carried out on Champneys Health Resort as this was the single largest development next to the site and it was bad planning to consider developing next to the resort.

Mr S Purdue, objector, addressed the meeting. He advised the Committee that he had owned Springs for 25 years and they were proud to have played host to Olympic teams. He stated that he employed 250 people and that they were responsible for protecting local jobs for local people. He highlighted that the site would be seen from the resort and urged Members to refuse the application so that a more suitable site could be considered.

Chairman's initials

Mr S Plummer, objector, addressed the meeting. He advised Members that he had lived in the area for 20 years and urged the Committee to defer the application to allow further consideration to be given to the location of the access to the site. He stated that Babelake Street would be unsuitable for lorries to travel along and that there would be up to 500 HGV movements during the construction period. He informed Members that there was a more suitable entrance along a B road and that would avoid danger to the users of Babelake Street. He urged Members to oppose the application.

Professor T Marmont, supporter, addressed the meeting. He advised Members that he was in support of renewable energy and that the development of Solar Panel farms was essential to provide the country with energy security due to climate change as it was becoming more difficult to rely on other energy suppliers.

Mr G Maruca, applicant, addressed the meeting. He advised Members that they had worked hard to ensure community involvement in the application, that the Parish Councils were in favour and that 30 letters of support had been received. He stated that there were no objections from the highways authority in relation to the access and that he had been in direct contact with the owners of Springs, and had tried to address all their concerns as they had progressed. He informed Members that it was proposed that 3,900 homes would be powered by the energy that would be produced.

Councillor N Smith stated that he had been lobbied intensely on the application and all had been in relation to the access of the site. He moved that the application be deferred so that access could be discussed further.

There was no seconder.

Councillor D Everitt stated that there would be a need for other energy sources when fossil fuel ran out and that a solar farm would be more suitable than windmills. He moved the officer recommendations. This was seconded by Councillor M Specht.

Councillor J Legrys stated that he understood where Councillor N Smith was coming from and that he would have seconded the deferral had the highway authority not said they had no objections. He added that Members may wish to consider adding a condition to the permission restricting traffic movements during peak times and mature planting in the bund. He highlighted that the farm would only be there for 25 years and that the site was in an area that could be permitted for open cast mines, which would be objected to. He asked for an explanation on the right of a view and overbearing applications.

The Senior Planning Officer advised Members that there would be no right to a view on this application.

Councillor M Specht stated that he had listened to the speakers, that neither of the Parish Councils who speak for the residents had any objections and none of the consultees had objected. He felt that Babelake Street was adequate to drive down with some areas to pull over, whereas Gallows Lane had limited view for traffic leaving the site. He added that the noise and disturbance would last for 2 to 3 months and that the solar panels would be removed after 25 years, and that he would be supporting the application.

Councillor D J Stevenson asked for an update on the Secretary of State Call-In.

The Director of Services advised Members that the National Planning Casework Unit was considering the Call-In and that Members could resolve to permit the application but the authority would not be in a position to issue the permission, if the Call-In was to be determined by the Secretary of State.

Councillor J Bridges suggested that if the application was approved a condition be added to restrict the construction traffic movements until after 9am.

The Planning and Development Team Manager informed the Committee that it was not normal practice to impose traffic movement conditions on developers.

Councillor J Bridges advised Members that it was normal practice to restrict deliveries to construction sites and that it would be nice if the applicant agreed.

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services and the inclusion of a construction traffic condition.

**56. A2  
14/00574/OUT: ERECTION OF 16 DWELLINGS (OUTLINE APPLICATION - ALL MATTERS RESERVED EXCEPT FOR PART ACCESS)**

Land Off Dawsons Road Osgathorpe Loughborough Leicestershire

Officer's Recommendation: REFUSE

The Senior Planning Officer presented the report to Members.

Mr S Olsberg, representing Osgathorpe Parish Council, addressed the meeting. He advised Members that he had lived in the village for 15 years. He informed Members that a ballot in August had received a 60% turnout with overwhelming objection to the application and that 42 letters of objection had been sent in. He stated that the Parish Council was in strong objection to the application and that they urged the Committee to refuse the application.

Mr G Phillipson, objector, addressed the meeting. He advised the Committee that he had lived in the village for over 45 years and urged Members to refuse the application on 4 issues. These were that the authority already had a 6 year land bank, no further development should be required, that the village was not sustainable, that the development would pose a flood risk to the area and that the development would fall outside the limits to development.

Mr K Atkins, supporter, addressed the meeting. He advised Members that he had been a resident of the village for 12 years and that he was speaking on behalf of the less vocal residents that felt there was a need for development in the village. He informed Members that the Section 106 monies would provide a community facility to bring all walks of life together. He added that all households in the village were surveyed with a 97% response. He went on to highlight that the pub, which would be a centre for the village, would be the first of its kind in Leicestershire and had strong backing from Councillors and the Local MP.

Mr A Large, applicant's agent, addressed the meeting. He advised Members that there was a strong desire to save the pub and insufficient funds had been raised. He highlighted that 124 people had been against redistribution of the funds from the development, but the pub would be turned into a one stop shop housing various services. He informed Members that the application would ensure that the village would remain sustainable by retaining facilities and that local materials would be sourced for the construction. He added that the site would include 3 houses for local needs and the development was unique and supported by planning policy.

The Planning and Development Team Manager read out a letter of objection that had been received from Andrew Bridgen MP.

Chairman's initials

Councillor N Smith expressed concerns that if the community pub was to fail, the Section 106 money would be lost.

In response the Senior Planning Officer advised Members that should the venture fail the building would likely be sold and the services currently being promoted by the applicant would likely cease.

Councillor J Bridges thanked officers for a good report. He stated that the application would allow the village to become more sustainable, as other services were being reduced and slowly closing the village down. He added that it was unusual for money to be offered and that pubs have to become other services to support growth. He supported the application.

Councillor G A Allman agreed with Councillor J Bridges and added that too many pubs were closing down and that the restoration of the Storey Arms would be a good asset, and moved that the application be permitted. This was seconded by Councillor A Bridges.

Councillor M Specht stated that the sale of the pub would make the village a sustainable location as it would look to provide a number of varying services and events that in turn would look to reduce the use of vehicles. He supported the motion to permit.

Councillor J Legrys stated that he shared Councillor J Bridges' views, however he was unable to vote in support of the application as he felt the monies should be put towards affordable housing. He added that the Parish Council objected and a referendum had shown that the existing residents had voted against the application. He expressed sympathy for residents wanting to maintain the pub, but had to support the officer's recommendations.

Councillor D Everitt stated that the Parish Council had objected and that some villages did not want to expand.

Councillor D J Stevenson stated that he had been on the District Council for 40 years had never come across this situation before. He added that if the application worked the village would have a one stop shop and that if it didn't the village would be left with 16 houses.

Councillor L Spence sought clarification on the difference between local needs housing and affordable housing.

The Director of Services stated that local needs housing would be restricted for sale to a local person and that if that was not successful it would be opened up to a wider area and that affordable housing was not restricted.

Councillor M Specht sought clarification as to whether the price of a local needs house would always be sold at the lower price.

The Planning and Development Team Manager advised Members that the 3 local needs dwellings would remain at low cost.

RESOLVED THAT:

The application be permitted, subject to a Section 106 Agreement and the wording of the conditions be delegated to the Director of Services.

Chairman's initials

**57. A3**  
**14/00681/FUL: CHANGE OF USE FROM NEIGHBOURHOOD EQUIPPED AREA FOR PLAY (NEAP)/MULTI-USES GAMES AREA (MUGA) TO INFORMAL PUBLIC OPEN SPACE**

Play Area Lillehammer Drive Coalville Leicestershire

Officer's Recommendation: PERMIT subject to a Section 106 Agreement

The Senior Planning Officer presented the report to Members.

Mr R Galij, applicant, addressed the meeting. He advised Members that extensive dialogue had taken place with all concerned and that monitoring by Barratt Homes and residents had witnessed and observed activities and anti-social behaviour. He stated that the evaluation had agreed that the site was inappropriate and a better location was needed. He informed Members that Scotlands Playing Fields was the preferred location and that there was no objection from the Police to the site. He welcomed the report, acknowledged the conditions and urged Members to support the application.

The Chairman reminded Members that they were considering whether to relocate the play area, not the location.

Councillor J Legrys, Ward Member, addressed the meeting. He acknowledged the work that had been done by the officers in assisting to resolve the issue. He also thanked the Regeneration and Planning Portfolio Holder for his involvement. He stated that he could remember the site when it was the college and that for various reasons the site had not been completed. He informed Members that children need somewhere safe to play and that many families had bought homes on the estate due to the play area. He added that unfortunately some teenagers had been looking for a new place to hang out and they were still on the estate at 3am. He advised the Committee that whatever they decided someone would be disappointed.

Having declared a disclosable non-pecuniary interest in the item, Councillor J Legrys left the meeting on conclusion of his statement.

It was moved by Councillor J Bridges, seconded by Councillor R Johnson and

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services.

Councillor J Legrys returned to the meeting.

**58. A4**  
**14/00328/OUTM: RESIDENTIAL DEVELOPMENT OF UP TO 85 NO. DWELLINGS (OUTLINE - ALL MATTERS OTHER THAN PART ACCESS RESERVED)**

Land At Loughborough Road Thringstone Leicestershire

Officer's Recommendation: PERMIT Subject to a Section 106 Agreement

The Senior Planning Officer presented the report to Members.

Ms L Stones, agent, addressed the meeting. She advised Members that the applicant was seeking outline permission for the development that they felt would be sustainable. She stated that the proposed development had been considered with the council's Urban Designer, that there had been a low number of objections to the development and that none of the consultees had any objections to the plans. She informed Members that the

Chairman's initials

development would be a positive contribution to the Authority's housing land supply and that a number of developers had already expressed an interest in the site. She urged Members to support the application.

Councillor L Spence stated that he had spoken to many residents who supported the application and that he was mindful that Thringstone needed to take its fair share of development. He added that it was a good location and he was happy to support, but expressed concerns in relation to the foul drainage scheme. He moved the officer recommendation. This was seconded by Councillor G Jones.

The Senior Planning Officer advised Members that that a Flood Risk Assessment had been included with the application and that the applicant was aware of the concerns.

Councillor D Everitt endorsed what Councillor L Spence had said and stated that some development had been permitted for Thringstone, but nothing had happened yet. He added that it would be wonderful if some of the Section 106 agreement monies could be used to install suitable access for people with disabilities at the community centre.

Councillor R Woodward declared a disclosable non-pecuniary interest in the item as the Chairman of the community centre executive board.

Councillor J Legrys congratulated the developer on brilliant community engagement and that the development would see improved traffic calming measures.

Councillor R Woodward stated that he agreed that the traffic calming should be removed completely and that attention should be paid to the sewage farm within the area.

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services.

**59.**

**A5**

**14/00723/FUL: ERECTION OF ONE TWO STOREY DETACHED DWELLING**

Land Adjoining 20 Main Street Osgathorpe Loughborough Leicestershire

Officer's Recommendation: PERMIT

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

Mr A Large, agent, addressed the meeting. He advised Members that the only reason the application was being considered was due to his relationship to existing Councillors. He reiterated his earlier comments and added that all the materials would be locally sourced. He urged Members to support the application.

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

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services.

**60.**

**A6**

**14/00580/FUL: REMOVAL OF TWO GARAGES AND REPLACEMENT WITH DOUBLE GARAGE**

144 Central Road Hugglescote Coalville Leicestershire

Officer's Recommendation: PERMIT

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

Councillor D J Stevenson stated that he had been asked to visit the site as Chairman of the Committee and following this he had requested that a stop notice be served, with which the applicant had complied.

Councillor J Legrys thanked the Chairman for looking at the site and stated that the applicant had removed two garages and started to build one double. He moved that the application be refused on the grounds that it did not comply with policy E3 as he considered it was overbearing on not just Central Road residents, but also Breach Road residents. He added that there were significant problems with the height and the pitch of the roof and that he felt that it would be better for Members to refuse the application than to defer. He requested that decent negotiations took place with the neighbours. This was seconded by Councillor R Woodward.

Councillor D J Stevenson stated that had the garage been built two metres closer to the house then no permission would have been required.

The Director of Services advised Members that if they refused the application, the applicant could submit an amended application and then Ward Members would be able to call in the application under the member notification process if deemed necessary.

RESOLVED THAT:

The application be refused on the basis that the application would have a detrimental effect on the neighbouring dwellings.

**61. A7**  
**14/00248/FUL: CHANGE OF USE TO B1 (BUSINESS)**  
 70A North Street Whitwick Coalville Leicestershire

Officer's Recommendation: PERMIT

The Senior Planning Officer presented the report to Members.

Councillor T Gillard declared a disclosable non-pecuniary interest in item A7, application 14/00248/FUL, as a member of the club.

Mr N Wright, applicant, addressed the meeting. He stated that the building would house a second site for the business, that there would be no production or emissions as it would be used to disassemble components of vehicles, and that they would employ between 6 and 8 people. He advised Members that the car parks were owned by the club and that they had agreed to mark out the spaces that could be used by the business during the agreed times. He asked the Committee to consider the amended opening times of 8am – 6pm Monday to Friday to ensure that working hours were compliant with the other site.

The Chairman advised Members that as Councillor N Smith had left the meeting during the presentation, he would be unable to vote on the application.

Councillor R Woodward stated that he had been involved in ongoing discussions with all parties as a Ward Member and that there was a history of non-compliance with conditions. He stated that it was a start with the amendment of the opening hours.

Councillor R Woodward then took no further part in the discussion or voting on the application.

Chairman's initials



It was moved by Councillor D J Stevenson, seconded by Councillor G Jones and

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services.

Councillor N Smith left the meeting at 6.22pm during the consideration of item A7 and returned at 6.25pm.

The meeting commenced at 4.30 pm

The Chairman closed the meeting at 6.30 pm