

MINUTES of a meeting of the PLANNING COMMITTEE held in the Council Chamber, Council Offices, Coalville on TUESDAY, 10 MARCH 2015

Present: Councillor D J Stevenson (Chairman)

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

In Attendance: Councillors J Geary and T J Pendleton

Officers: Mr C Elston, Mr D Gill, Mrs C Hammond, Mr J Knightley, Miss E Mattley, Mr J Newton and Mrs R Wallace

The Chairman announced with great sadness, the recent passing of Councillor Dave De Lacy. A one minute silence was held in remembrance. Councillor T Neilson gave thanks for all of the kind words received as they were greatly appreciated. He stated that Councillor De Lacy worked tirelessly for the people of Ibstock and would be greatly missed. He informed Members that the funeral would be held at Loughborough Crematorium on 19 March at 2pm.

#### **110. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors R Adams, D Everitt, D Howe, T Gillard, G Jones and N Smith.

Councillor J Legrys passed on thanks from Councillors D Howe and R Adams for the cards sent from the Planning Committee while they were unwell.

Councillor R Woodward reported that Councillor D Howe was recovering well and was due to return home from hospital during the next few days.

The Chairman welcomed back Councillor G A Allman after his recent spell of illness.

#### **111. DECLARATION OF INTERESTS**

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

Councillor G A Allman declared a pecuniary interest item A3, application number 15/00072/OUT as he had a business interest with the owners of the premises.

Councillor M Specht declared a non pecuniary interest in item A3, application number 15/00072/OUT as the Chairman of Coleorton Parish Council but would still consider the application with an open mind.

Councillors J Cotterill and T Neilson declared that they had been lobbied without influence in respect of item A1, application number 14/00273/FULM.

Councillor J Legrys declared a non pecuniary interest in item A2, application number 14/00991/FULM as he lived within 150 metres of the application site but still remained open minded. He also declared that he had been lobbied without influence in respect of item A1, application number 14/00273/FULM, item A2, application number 14/00991/FULM and item A3, application number 15/00072/OUT.

Councillor R Woodward declared that he had been lobbied without influence in respect of item A3, application number 15/00072/OUT.

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Councillor J Bridges declared that he had been lobbied without influence in respect of item A3, application number 15/00072/OUT and item A4, application number 14/01111/FUL. He also called in item A4, application number 14/01111/FUL but would still consider the application with an open mind.

Councillor D J Stevenson declared that he had been lobbied without influence in respect of item A1, application number 14/00273/FULM and item A3, application number 15/00072/OUT. He also called in item A1, application number 14/00273/FULM but would still consider the application with an open mind.

## 112. MINUTES

Consideration was given to the minutes of the meeting held on 3 February 2015.

It was moved by Councillor J Legrys, seconded by Councillor J G Coxon and

RESOLVED THAT:

The minutes of the meeting held on 3 February 2015 be approved and signed by the Chairman as a correct record.

## 113. 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.

### 114. A1

#### **14/00273/FULM: ERECTION OF 77 DWELLINGS, INCLUDING VEHICULAR ACCESS, PEDESTRIAN LINKS, PUBLIC OPEN SPACE, CAR PARKING, LANDSCAPING AND DRAINAGE**

Land North East Of Atherstone Road Measham Swadlincote Derby DE12 7EL

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

The Principal Planning Officer presented the report to Members.

Ms C French, agent, addressed the meeting. She reminded Members that David Wilson had an excellent record for development in the District and they had worked with officers, local residents and the Parish Council to get the design of the proposal right. She explained that the proposal had received a 'Building for Life' accreditation and provided 23 affordable homes, improved footpath links, utilisation of a sustainable drainage system, traffic calming measure improvements and ecological benefits. She concluded that the site was sustainable and as there were no technical objections the proposals were acceptable. She urged Members to approve the application in line with the officer's recommendations.

Councillor T Neilson stated he had attended Parish Council meetings where the application had been discussed originally and, along with local residents, still had the following concerns:

- the Bosworth Road development has no affordable housing even though David Wilson promised 30 percent. This could happen on this site.
- the site is outside the limits of development and as a large number of houses had already been built in the area this application was unnecessary.
- officers have stated that the site was 'reasonably' accessible which was not good enough as there was not a bus service after 6pm and although a footpath was

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proposed, it would be out of character for the area due to the hard standing appearance.

Councillor T Neilson moved that the application be refused on the grounds that the site was not accessible as it was too far from the nearest centre and the footpath was out of character for the area. It was seconded by Councillor J Legrys.

Councillor S Sheahan raised concerns regarding the failed promise for affordable homes at the Bosworth Road Site and how that may be repeated for this development. He was also aware that the main road was very busy and could be difficult to cross to access the shops. He asked that if the application was approved, the conditions be amended to include a third set of speed humps at the junction of Wordsworth Way.

Councillor J Legrys felt that the application was premature until the Council set the limits of development and therefore supported refusal.

Councillor M Specht stated that he was firmly against refusal of the application. He felt that the site was very sustainable as it was a ten minute walk away from local schools, church and shopping centre. He also felt that the proposed footpath was acceptable as formal hard standing was needed.

The Chairman reiterated previous comments as in his opinion it was an ideal site for development. Councillor J G Coxon agreed and supported the officer's recommendations.

The Head of Planning and Regeneration clarified that the application site was a Greenfield site that was outside the limits of development. He also stated that the draft limits of development were currently being consulted on but that consultation was part of the overall Local Plan. He confirmed that, because the draft limits to development had no formal status, they do not carry significant 'weight' in deciding the planning application.

The motion to refuse the application was put to the vote and was LOST.

The Chairman put the officer's recommendation to the vote with the amended condition to include a third set of speed humps on Atherstone Road at the junction with Wordsworth Way.

RESOLVED THAT:

The application be permitted in accordance with the recommendations of the Head of Planning and Regeneration, with the amended condition to include a third set of speed humps on Atherstone Road at the junction with Wordsworth Way.

**115. A2**

**14/00991/FULM: ERECTION OF SEVENTEEN AFFORDABLE DWELLINGS, WITH ACCESS ON TO WYGGESTON ROAD AND NORTH AVENUE, ASSOCIATED GROUNDWORKS AND LANDSCAPING**

Land Off North Avenue Coalville Leicestershire LE67 3QX

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

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

Mr M Cox, objector, addressed the Committee. He advised Members that he lived adjacent to the site, and he was not opposed to the development in general but he had concerns over the layout and siting of plot 15. He stated that the current site and layout of the plot would overlook his property and all the other plots were either back to back

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gardens or had a greater distance away and requested that consideration was given to either turning the plot 90 degrees or building it closer to the footpath.

Mr M Dauncey, agent, addressed the Committee. He advised Members that there was a need for affordable housing in the area and that the scheme would be made up of 12 homes available for rent and 5 homes that would be available under the shared ownership scheme. He stated that the site was close to the town centre and that the design of the properties would be in keeping with local character. He informed Members that the development would provide up to 33 parking spaces and that concerns raised by the County Council Rights of Way Officer had been addressed.

Councillor J Legrys stated that the scheme had been a long time in the planning and that the site was an eyesore. He thanked the Chief Executive for arranging a cleanup of the site and that the site afforded what residents wanted. He advised that the fly tipping and anti-social behaviour had reduced but was disappointed that the applicant had not discussed the issues raised by the neighbours in relation to the siting of plot 15.

Following a question from Councillor J Legrys, the Head of Planning and Regeneration advised Members that it was within the gift of the Committee to request the rotation of plot 15 in consultation with neighbouring properties.

Councillor D J Stevenson requested that any consultation included the Ward Members and Chairman of the Committee.

Councillor M Specht stated that having seen the site and the movement of the sun it would make sense through solar energy gain to rotate the property 90 degrees.

Councillor J G Coxon stated that he was pleased to see that the committee agreed to help Mr and Mrs Cox with their issues, but felt that the site should have included bungalows.

The officer recommendation with the amendment to consult with Mr and Mrs Cox in relation to the layout of plot 15 was moved by Councillor J Legrys, seconded by Councillor J Bridges and

**RESOLVED UNANIMOUSLY THAT:**

The application be permitted in accordance to the recommendation of the Head of Planning and Regeneration with the additional recommendation relating to the rotation of the proposed property of plot 15, to be agreed between the developer, Chair of Planning Committee and Ward Members.

**116. A3  
15/00072/OUT: ERECTION OF ONE DWELLING (OUTLINE - ALL MATTERS  
RESERVED)**

Land To The Rear Of The George Inn Bakewell Lane Coleorton Coalville Leicestershire  
LE67 8HF

Officer's Recommendation: REFUSE

Having declared an interest in the item Councillor G A Allman left the room for the consideration of the item and took no part in the discussion or voting thereon.

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

Mr A Pearson, in support, addressed the Committee. He stated that there appeared to be confusion over the need for the development. He advised that the applicant was born in Coleorton and that she wished to remain in the village, but the only way, financially to do

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so, was by building a home on the plot of land that she owned. He highlighted that the site was only slightly outside the limits and that a neighbouring site had recently doubled in size. He informed Members that the applicant could leave the site onto Zion Hill and the development would be sustainable as she would use all the local services and the oldest child would be able to catch a bus to the school that they attended in Ashby.

Councillor J Legrys raised concerns over applications being submitted that were outside the limits to development. He highlighted that other applications on Bakewells Lane had been refused and he therefore found it difficult to agree to permit an application at the other end of the road.

Councillor M Specht stated that he could not agree that the site was unsustainable. He added that the fact there was no footpath along the route was not a highway matter, and the reduced street lighting in the area was not a reason for refusal as the County Council had rolled out this programme in consultation with Parish Councils. He expressed concerns regarding the potential highways safety issues associated with the traffic heading towards the A42. He felt that the local needs had not been established and that he supported the officer recommendation with reluctance.

Councillor J Bridges stated that he supported the officer's recommendation and that having read the report and listened to the speaker they had not given Members any alternative than to refuse the application.

Councillor D J Stevenson stated that he felt the cars leaving the public house further up the road caused more highways issues than the development would, and that there was a lorry yard next to the site that would give more cause for concern. He added that residents had all the amenities with the village except for a supermarket and that most now delivered anyway and that the vehicular access was already there. He felt he was unable to refuse the application when the next item was similar with a recommendation to permit.

Councillor T Neilson stated that he would be voting in favour to refuse the recommendation and he felt that the application could not be considered the same as the next one. He added that local need had not been demonstrated and the application was inappropriate.

The officer recommendation was moved by Councillor J Legrys, seconded by Councillor R Johnson and

A recorded vote having been requested, the voting was as follows:

For the motion:

Councillors A Bridges, J Bridges, J Cotterill, J G Coxon, J Houl, R Johnson, J Legrys, T Neilson, S Sheahan, M Specht and R Woodward(11).

Against the motion:

Councillors L Spence, D J Stevenson and M B Wyatt(3).

Abstentions:

None(0).

RESOLVED THAT:

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

Councillor G A Allman returned to the meeting.

**117. A4  
14/01111/FUL: ERECTION OF ONE DETACHED DWELLING AND CREATION OF NEW ACCESS**

Site Adjoining Recreation Ground Measham Road Moira Derby

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

The Planning Officer presented the report to Members.

Mrs Cotton, applicant, addressed the Committee. She reminded Members that the application was for a residential dwelling for her husband and herself to help with the family farm and to assist with looking after family members. She advised Members that with the last application they had viewed the wrong site and that officers had since been out to view the correct location before the application was submitted. She stated that the new application saw a reduction in the roof mass and had been altered to respect the character of the area, and that a petition had been submitted to the Town Council in support of the application. She added that the previous application had been refused on the grounds of highways safety however there were no objections from the highways authority on the application in front of them.

Councillor R Johnson stated that credit should be given to the applicant and officers for their work on the application as the previous application had been picked to pieces. He added that the applicants wished to move forward to be able to help relatives.

Councillor J Bridges stated that he had visited the site and that there was a fundamental difference between the two applications, and that it was good to see members of the public working closely with officers and putting forward a good case as to why the development was required. He informed Members that the Council had a responsibility to encourage residents to stay and bring new jobs to the area. He added that the development would add to the natural growth of the area and that all the concerns that he had raised had been addressed.

The officer's recommendation was moved by Councillor R Johnson, seconded by Councillor T Neilson.

A recorded vote having been requested, the voting was as follows:

For the motion:

Councillors G A Allman, J Bridges, J Cotterill, R Johnson, T Neilson, D J Stevenson, L Spence and M B Wyatt(8).

Against the motion:

Councillors J G Coxon, J Hout, J Legrys, M Specht and R Woodward(5).

Abstentions:

Councillors A Bridges and S Sheahan(2).

**RESOLVED THAT:**

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

The meeting commenced at 4.30 pm

The Chairman closed the meeting at 5.45 pm

Chairman's signature