

MINUTES of a meeting of the PLANNING COMMITTEE held in the Council Chamber, Council Offices, Coalville on TUESDAY, 6 OCTOBER 2015

Present: Councillor D J Stevenson (Chairman)

Councillors R Adams, G A Allman, R Boam, J Bridges, R Canny, J Cotterill, J G Coxon, D Everitt, D Harrison (Substitute for Councillor J Houlton), R Johnson, J Legrys, V Richichi, N Smith and M Specht

In Attendance: Councillors J Geary, T J Pendleton and A C Saffell

Officers: Mr S Bambrick, Mrs C Hammond, Mr J Knightley, Mrs A Lowe, Miss E Mattley, Mr A Mellor and Ms S Worrall

54. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Houlton, G Jones and M B Wyatt.

55. DECLARATION OF INTERESTS

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

Councillor J G Coxon declared a non pecuniary interest in item A1, application number 15/00465/VCUM as a Member of Ashby de la Zouch Town Council.

Councillor D J Stevenson declared a non pecuniary interest in items A2, application number 15/00698/VCIM and A3, application number 15/00701/VCIM as his son worked for the developer; therefore he would leave the meeting during the consideration and voting thereon.

56. MINUTES

Consideration was given to the minutes of the meeting held on 8 September 2015.

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

RESOLVED THAT:

The minutes of the meeting held on 8 September 2015 be approved and signed by the Chairman as a correct record.

57. ADMISSION OF ADDITIONAL ITEM

The Chairman advised Members that an additional item needed to be considered by the Committee before the next meeting and as the report was exempt it would be considered at the end of the meeting.

RESOLVED THAT:

By reason of special circumstance in that an additional item of business needs to be considered before the next meeting of the Planning Committee, the item entitled "Receipt of Advice in Respect of Appeal Ref. APP/G2435/W/15/3019451 (District Council Planning Application Ref. 14/00769/OUTM)" be considered at this meeting as a matter of urgency in accordance with Section 100B(4)(B) of the Local Government Act 1972.

Chairman's initials

58. 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.

The Chairman advised Members that he would be taking item A4 first.

59. A4
15/00652/FUL: ERECTION OF A DETACHED TWO STOREY DWELLING WITH INTEGRAL GARAGE ALONG WITH CONVERSION OF EXISTING DETACHED GARAGE TO RESIDENTIAL DWELLING WITH ASSOCIATED OFF-STREET PARKING
 23 High Street Castle Donington Derby DE74 2PP

Officer's Recommendation: PERMIT

The Senior Planning Officer presented the report to Members.

Councillor T Saffell, Ward Member, addressed the Committee. He advised the Members that the application was within the conservation area and that normal precedence would be to refuse such an application if harm to the area outweighed the benefits and therefore as the host house was in the conservation area then a modern building would in effect cause harm. He highlighted that the new property would be on high ground and therefore would be visible. He added that the application was flawed and urged Members to refuse the application.

Councillor R Canny moved a motion to refuse the application on the grounds that the development was not in keeping with the local character, but it was not seconded.

Councillor R Canny stated that as she lived in the area she had seen the erosion of precious land and felt that the modern design was not in keeping with the area, adding that in retrospect there were many beautiful period properties that had inappropriate developments in the grounds. Councillor R Canny felt that the application should also have been considered by the Authority's new Conservation Officer.

Councillor D Everitt stated that the buildings in the area covered different periods in time and highlighted examples of high profile period buildings that had had modern extensions added which complemented the older parts and added that the residents would still love the area. He moved the officer recommendation to permit the application. It was seconded by Councillor J Legrys.

Councillor J Legrys stated that he understood that the site was a conservation area however the modern application was exciting. He highlighted to Members that when looking at Google maps it was clear that the older properties in the area had PVC windows and there was some dubious brickwork on extensions, adding that a development in a back garden of that size in his ward would accommodate between 25-30 homes and that he supported the officer recommendation.

Councillor N Smith stated that he had spent most of his life renovating listed buildings and felt that the area should move forward with the times.

Councillor J G Coxon stated that it was not appropriate to keep building reproduction homes and that the new building would show the sign of the times.

Councillor M Specht stated that the new dwelling would be barely visible, that the new building against the old would complement the area and that he supported the recommendation.

Chairman's initials

Councillor J Bridges stated that he agreed with Councillor R Canny on a personal level but as there had been no objections to the application on planning grounds he had to support the recommendation.

Councillor V Richichi stated that the Committee used to look at refusal when an application would have an adverse effect on the area and the application should be shelved.

Councillor D J Stevenson highlighted that there were many old structures around the country that had modern buildings in close vicinity to them.

RESOLVED THAT:

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

60.

A1

15/00465/VCUM: VARIATION OF CONDITIONS 2, 4 AND 6 TO AMEND THE FIRST PHASE OF DEVELOPMENT TO NO LESS THAN 50 DWELLINGS, THE TIME PERIOD FOR THE SUBMISSION OF THE RESERVED MATTERS FOR THE EXTRA CARE FACILITY EXTENDED TO 5 YEARS FROM THE DATE OF THE OUTLINE PERMISSION AND THE REMOVAL OF THE REFERENCE TO THE MASTER PLAN. REMOVAL OF CONDITIONS 7,8,14 AND 24 RELATING TO DRAINAGE TO DISCHARGE TO THE MAINS SEWER SYSTEM AND REPLACEMENT WITH A SINGLE CONDITION AND THE REMOVAL OF CONDITIONS 18,19 AND 20 RELATING TO SUSTAINABLE CONSTRUCTION METHODS AND ENERGY SUPPLY ATTACHED TO OUTLINE PLANNING PERMISSION 13/00486/OUTM.

Land Adjoining Holywell Farm Burton Road Ashby De La Zouch Leicestershire LE65 2LP

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

The Planning Officer presented the report to Members.

The officer's recommendation to permit was moved by Councillor J Bridges and seconded by Councillor R Johnson.

Councillor D Everitt raised concerns over the removal of conditions 18, 19 and 20, and if the properties would be sustainable.

The Senior Planning Officer advised that the conditions were being removed due to changes in the Building Regulations but the properties would be sustainable.

RESOLVED THAT:

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

61.

A2

15/00698/VCIM: VARIATION OF CONDITIONS 3 AND 22 OF 15/00019/VCIM TO INCLUDE ADDITIONAL BOUNDARY TREATMENTS TO PLOTS 176 AND 177 AS WELL AS LANDSCAPING REVISIONS

Land To The Rear Of Parkdale Ashby Road Ibstock Leicestershire

Officer's Recommendation: PERMIT

Chairman's initials

Having declared a non pecuniary interest in items A2 and A3 Councillor D J Stevenson left the chair and the meeting and took no part in the consideration and voting thereon.

Councillor J Bridges took the chair for the consideration of the items.

The Senior Planning Officer presented the report to Members and read out a letter from Councillor J Clarke, Ward Member.

In response to a question from Councillor J Bridges, the Senior Planning Officer advised Members that the correct notification and consultation process had been followed when all applications had been submitted by the developer.

Councillor J Legrys stated that the Committee had been assured that the developers did not own the land however it was proving difficult to ascertain who did own it, adding that it appeared the land was a ransom strip. He felt if the Committee refused the application the developer would win on appeal and that the residents should take private legal advice on what their options were.

Councillor R Canny raised concerns over the access current residents would have to the strip of land and legally where would they stand.

The Legal Advisor advised Members that if there were any issues over the access, there were legal provisions for the residents to look into.

Councillor M Specht raised concerns over the previous variation application, which had been permitted, which he felt should have been considered by the Committee as it was a significant amendment to the original plan. He asked officers to ensure that in future all variations to applications that had been permitted by the Committee went back to Committee for consideration.

Councillor D Everitt stated that it was a ridiculous situation and it should not have happened.

Councillor R Johnson agreed with Councillor D Everitt adding that the developer wanted to change the original plans and that it was wrong and unethical. He stated that he had sat and read all the objections and that it appeared that the developer had not spoken to any of the residents and as a gesture Bellway should consider one fence not two.

Councillor V Richichi queried which application was being considered as the presentation was misleading.

Councillor M Specht felt that the application should be deferred until the issue with the strip of land could be rectified.

A motion to defer the application for one month to seek a meeting between the developer, residents and officers to seek a way forward to resolve the situation was moved by Councillor J Bridges and seconded by Councillor V Richichi.

Councillor D Harrison raised concerns that as it was unknown who owned the strip of land the Council would have no right in demanding what action was taken.

The Legal Advisor clarified that officers were not saying that no one owned the land rather than it was unsure who owned the land.

Councillor M Specht stated that there should be a common sense approach to the boundary and that out of courtesy the developer should consider one fence only.

RESOLVED THAT:

The application be deferred for one month to allow discussions between parties to seek a way forward.

- 62. A3**
15/00701/VCIM: VARIATIONS OF CONDITIONS 3 AND 22 OF 15/00018/VCIM TO INTRODUCE ADDITIONAL BOUNDARY TREATMENTS TO PLOTS 185,186,187,188,189 AND 191 AS WELL AS LANDSCAPING REVISIONS
Land To The Rear Of Parkdale Ashby Road Ibstock Leicestershire

Officer's Recommendation: PERMIT

Councillor J Bridges moved that the application be deferred for one month to ask the developer to meet with residents and officers to discuss the concerns over the application and find a way forward. It was seconded by Councillor J Legrys.

RESOLVED THAT:

The application be deferred for one month to allow discussions between parties to seek a way forward.

Councillor D J Stevenson returned to the meeting and the chair.

- 63. A5**
15/00497/FUL: CONVERSION AND REDEVELOPMENT OF BARNES TO FORM FOUR OFFICES AND TWO STORAGE BUILDINGS WITH AN EXISTING ACCESS
Measham Lodge Farm Gallows Lane Measham Swadlincote Leicestershire DE12 7HA

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

The Principal Planning Officer presented the report to Members.

The officer's recommendation to permit was moved by Councillor J Bridges and seconded by Councillor J Legrys.

RESOLVED THAT:

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

- 64. A6**
15/00587/LBC: CONVERSION AND RE-DEVELOPMENT OF BARNES TO FORM FOUR OFFICES (LISTED BUILDING CONSENT)
Measham Lodge Farm Gallows Lane Measham Swadlincote Leicestershire DE12 7HA

Officer's Recommendation: PERMIT

The Principal Planning Officer presented the report to Members.

The officer's recommendation to permit was moved by Councillor J Bridges and seconded by Councillor J Legrys.

RESOLVED THAT:

Chairman's initials

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

- 65. A7**
15/00783/FUL: PROPOSED ERECTION OF A PIG SHED
Land At Junction Of Breedon Lane And Rempstone Road Osgathorpe Loughborough
Leicestershire LE12 9ST

Officer's Recommendation: PERMIT

The Senior Planning Officer presented the report to Members.

The officer's recommendation to permit was moved by Councillor J Legrys and seconded by Councillor J G Coxon.

RESOLVED THAT:

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

66. EXCLUSION OF PRESS AND PUBLIC

The officers consider that the press and public should be excluded during consideration of the following items in accordance with Section 100(a) of the Local Government Act 1972 as publicity would be likely to result in disclosure of exempt or confidential information.

RESOLVED THAT:

In pursuance of Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting on the grounds that the business to be transacted involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Act and that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

**67. RECEIPT OF ADVICE IN RESPECT OF APPEAL REF. APP/G2435/W/15/3019451
(DISTRICT COUNCIL PLANNING APPLICATION REF. 14/00769/OUTM)**

The Director of Services presented the report to Members.

RESOLVED THAT:

The recommendation as set out in the report be approved.

The meeting commenced at 4.30 pm

The Chairman closed the meeting at 5.50 pm

Chairman's initials