

MINUTES of a meeting of the PLANNING COMMITTEE held in the Council Chamber, Council Offices, Coalville on TUESDAY, 10 MAY 2016

Present: Councillor D J Stevenson (Chairman)

Councillors R Adams, R Boam, J Bridges, R Canny, J Cotterill, J G Coxon, D Everitt, J Geary (Substitute for Councillor J Legrys), D Harrison (Substitute for Councillor M Specht), J Houlst, R Johnson, G Jones, V Richichi, N Smith and M B Wyatt

Officers: Mr C Elston, Mrs C Hammond, Mr J Knightley, Mrs A Lowe, Mr A Mellor and Mr J Newton

## **120. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G A Allman, J Legrys and M Specht.

## **121. DECLARATION OF INTERESTS**

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

Councillor J Bridges declared a non pecuniary disclosable interest in item A3, application number 16/00198/OUT as the applicant was a sitting Councillor but he had come to the meeting with an open mind.

Councillor D Harrison declared a non pecuniary disclosable interest in items A3, application number 16/00198/OUT and A9, application number 16/00322/FUL as the applicants were sitting Councillors but he had come to the meeting with an open mind.

Councillor R Johnson declared a pecuniary disclosable interest in items A1, application number 13/00802/FULM and A2, application number 15/00641/FULM as his property was in close proximity to the proposed development sites and he would leave the meeting and take no part in the consideration and voting thereon.

Councillor N Smith declared a non pecuniary disclosable interest in item A3, application number 16/00198/OUT as the applicant was a sitting Councillor but he had come to the meeting with an open mind and a pecuniary disclosable interest in item A9, application number 16/00322/FUL as he was the applicant and he would leave the meeting and take no part in the consideration and voting thereon.

Members declared that they had been lobbied without influence in respect of various applications below:

Item A1, application number 13/00802/FULM  
Councillors R Adams, D Everitt and J Geary

Item A3, application number 16/00198/OUT  
Councillors R Adams, R Boam, R Canny D Everitt, J Geary and R Johnson

Item A4, application number 16/00311/OUT  
Councillor R Boam

Chairman's initials

**122. MINUTES**

Consideration was given to the minutes of the meeting held on 6 April 2016.

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

RESOLVED THAT:

The minutes of the meeting held on 6 April 2016 be approved and signed by the Chairman as a correct record.

**123. 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.

Having declared a pecuniary interest in items A1 and A2 Councillor R Johnson left the meeting and took no part in the consideration and voting thereon.

**124. A1**

**13/00802/FULM: RESIDENTIAL DEVELOPMENT OF 78 DWELLINGS WITH ASSOCIATED ROAD AND SERVICE INFRASTRUCTURE, DRAINAGE PONDS AND FEATURES, LANDSCAPING AND OPEN SPACE**

Land To The North Wainwright Road Hugglescote

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

The Principal Planning Officer presented the report to Members.

Mr S Lewis-Roberts, Agent, addressed the Committee. He advised the Members that the two sites that were to be considered were part of the wider South East Coalville scheme for which there was a resolution to grant outline permission had been granted. He highlighted that the developments would contribute around half a million pounds towards education and £16,000 towards bringing the playing field at Newbridge High School into use. He reminded Members that there were no technical objections and that two public consultations had been held to assist in resolving any concerns. Mr S Lewis-Roberts added that the Urban Designer had commented that the scheme was a good standard of design and urged Members to grant the permission.

Councillor J Bridges stated that the site was to be part of the wider South East Coalville development and officers had worked hard to ensure that the Section 106 contributions were right for the town. He moved the officer's recommendation as amended by the update sheet, but subject to the outline planning permission having been issued for the wider scheme. This was seconded by Councillor G Jones.

Councillor J Geary stated that in principle he had no problem with the development however he raised concerns over the size of the play areas.

The Principal Planning Officer and the Head of Planning and Regeneration advised Members that the size of the play area proposed across the two applications in front of them was in accordance with the play area proposals across the wider South East Coalville scheme.

Councillor J Geary expressed concerns that there was to be only 7.6% affordable housing on the sites, which equated to 21 out of 275 homes and the Council had a policy of 20% affordable homes. He insisted that in future the Council ensured that the 20% was upheld, adding that housing requirement was need not greed.

Chairman's initials

Councillor M B Wyatt stated that as the highways infrastructure was not adequate he would not be supporting the application.

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Head of Planning and Regeneration as amended by the update sheet and subject to the outline planning permission having been issued for the wider South East Coalville site.

**125. A2**  
**15/00641/FULM: RESIDENTIAL DEVELOPMENT OF 197 DWELLINGS WITH ASSOCIATED ROAD AND SERVICE INFRASTRUCTURE, DRAINAGE PONDS AND FEATURES, LANDSCAPING AND OPEN SPACE, TOGETHER WITH DEMOLITION OF 104 FOREST ROAD**

Land To The North Wainwright Road Hugglescote

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

The Principal Planning Officer presented the report to Members.

Ms M Adams, on behalf of Newbridge School, objector, addressed the Committee. She advised Members that the School had no objections to the development in principle, but expressed concerns over the lack of an additional access to the school to take into consideration future development in the area. She stated that even though the applications before them would have an estimated 28 additional pupils, the wider scheme would have a greater number, Forest Road was already busy and urged Members to support provision for the access.

Mr R Walkuski, objector, addressed the Committee. He advised Members that Forest Road was already under a lot of strain and was used as a rat run, highlighting that the road was the main route for both infant and high schools and the emergency services. He expressed concerns that the access to the development would be on what was already a dangerous bend where drivers did not slow down and there had been numerous accidents.

Mr S Lewis-Roberts, agent, addressed the Committee. He advised the Members that the additional access had been deemed not necessary by the Highways Authority and that it would also put additional pressure on Leicestershire County Council to provide an extra crossing patrol. He reminded Members that there had been no technical objection from the Highways Authority and that the developments would contribute £1.32million to the highways network improvement.

The officer's recommendation as amended by the update sheet and subject to the outline planning permission having been issued for the wider site was moved by Councillor J Bridges and seconded by Councillor G Jones.

Councillor M B Wyatt stated that due to the increase in traffic and danger along Forest Road he would not be supporting the application.

R Canny stated that she was happy to support the first application but was unable to support the second due to the lack of green space, the close density of the dwellings and the need for more affordable housing on the site.

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Head of Planning and Regeneration as amended by the update sheet and subject to the outline planning permission having been issued for the wider South East Coalville site.

Councillor R Johnson returned to the meeting.

**126. A3**  
**16/00198/OUT: ERECTION OF THREE DETACHED DWELLINGS WITH GARAGES**  
**(OUTLINE - PART ACCESS FOR APPROVAL)**  
 Land Adjacent To 67 Loughborough Road Coleorton Coalville

Officer's Recommendation: Permit

The Senior Planning Officer presented the report to Members.

Mrs S Burton, objector, addressed the Committee. She highlighted to Members that previous applications on the site had been refused and to permit the application in front of them would be wholly unacceptable. She advised Members that just because an inspector stated that the Authority could not demonstrate a housing land supply did not mean that an application in an unsustainable area should be granted. She informed Members that as local policies were out of date their hands were not tied and that consistency should be shown as the next application, which was located up the road, was recommended for refusal.

Mr A Large, agent, addressed the Committee. He advised Members that he was aware how important the Green Wedge was but felt that permitting the application in front of them would not set a precedent as there was development on either side of the site and the views would not be affected. He informed Members that the plots would be for self build homes and there had been no objections from the Highways Authority. He urged Members to support the recommendation.

The officer recommendation was moved by Councillor N Smith and seconded by Councillor G Jones.

Councillor N Smith stated that even though the Committee had heard a passionate speech from the objector, as the new Local Plan progressed, the Green wedge would have less weight, the site was not isolated, there had been no objections from statutory consultees and therefore considered that there were no valid reasons for refusal.

Councillor D Everitt stated that he could not see how the application could be permitted as nothing had changed from previous applications and that the Council needed to be seen as being consistent. He stated that the site was still Green Wedge, that drivers had to have their wits about them along the stretch of road, it was outside the Limits to Development and that the site would be infill that would affect the views of current residents. He highlighted that the garage shop was not a shop that catered for residents' day to day shopping needs, and that the Committee should listen to the views of the residents.

Councillor R Adams stated that as the site was on the Green Wedge and was unsustainable he would not be supporting the application.

Councillor G Jones stated that he had supported applications on the site before and would continue to do so and that self build sites were desperately needed.

Chairman's initials

Councillor R Johnson stated that he agreed with Councillor G Jones that self build sites were needed, but could not support the development as applications had been refused previously for the site and it would be unsustainable as the local shop did not sell the essentials, adding that planning policies should be stuck to.

Councillor V Richichi stated that he felt that the site was a lot safer than the application that they had just considered and he was happy to support.

Councillor D Harrison stated that he supported the application and in perspective the site was surrounded with other properties and there were no technical objections to the application, adding that the proposal of self build plots was ideal.

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

For the motion:

Councillors J Bridges, J Cotterill, J G Coxon, D Harrison, J Hault, G Jones, V Richichi, N Smith and D J Stevenson(9).

Against the motion:

Councillors R Adams, D Everitt, J Geary, R Johnson, and M B Wyatt(5).

Abstentions:

Councillors R Boam and R Canny(2).

RESOLVED THAT:

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

**127. A4  
16/00311/OUT: ERECTION OF TWO DETACHED DWELLINGS AND GARAGES  
(OUTLINE - ACCESS AND LAYOUT INCLUDED)**

Land Adjacent To Wilford House Loughborough Road Coleorton

Officer's Recommendation: Refuse

The Senior Planning Officer presented the report to Members.

Mr A Dennison, on behalf of the agent, addressed the Committee. He stated that the sole reason for refusal was the objection from County Highways that the site was unsustainable and advised Members that speed survey reports stated that the site met the required standards and the vehicle movements would be minimal. Adequate visibility could be provided and there would be less vehicle movements than from The George Public House opposite. There were already numerous access points onto Loughborough Road. The applicant would also accept a condition requiring a gateway feature in the highway close to the proposed access to slow traffic down if permission was to be granted.

Councillor R Boam moved that the application be deferred to allow the applicant more time to liaise with the County Highways in relation to its objection. It was seconded by Councillor G Jones.

RESOLVED THAT:

The application be deferred to allow the applicant more time to liaise with County Highways over its objection.

Chairman's initials

**128. A5  
16/00183/FUL: ERECTION OF DETACHED DWELLING WITH ASSOCIATED OFF-STREET PARKING**

Land Adjacent To 29 Main Street Osgathorpe Loughborough

Officer's Recommendation: Permit

The Senior Planning Officer presented the report to Members.

Mr M Fairlamb, representing Osgathorpe Parish Council addressed the Committee. He advised Members that the Parish Council objected to the development as it felt that the village was already increasing by 25% following applications that had already been approved and that the site was on a road that was already restricted and emergency services struggled to get passed parked vehicles. He highlighted to Members that the village had been identified as a flood risk and that earlier in the year water was near to entering properties in the area of the site. He added that there would be a higher risk of flooding to neighbours if the development was permitted and the Environment Agency had underestimated the flood risk. He urged Members to refuse the application.

Mr R Whyard, objector, addressed the Committee. He advised Members that the proposal would in flooding of properties downstream that the site was on a narrow road which already had an issue with on-street parking and the piece of land had become a haven for wildlife. He asked Members that, should they be minded to approve the application, could the applicant retain the verge and hedgerow, look at the gable ends, orientation and ensure the rendering was in keeping with the rest of the village.

Mr S Tivey, supporter, addressed the Committee. He informed the Members that he had known the site for 15 years and owning the brook further up stream was able to advise that the water levels receded just as quickly as they rose. He stated that issues had arisen due to poor maintenance of the brook and cattle pushing down the banks when drinking from it however this would be solved once the development had taken place and that the cows now had water troughs to drink from. He added that the house would add to a sustainable village.

Mr A Large, agent, addressed the Committee. He advised Members that he owned a beef and sheep farm on the other side of the brook and that due to poor management of the brook the land had been prone to flooding. He advised Members that the property would sit higher than the water levels, include a water harvester and was to be a modest development. He urged the Committee to support the development.

The officer's recommendation was moved by Councillor J G Coxon and seconded by Councillor G Jones.

Councillor J G Coxon stated that it was a nice development and all villages needed such applications to survive, adding that if the brook was maintained correctly there would be no flooding.

Councillor D Everitt stated that he felt that the village had taken its share of development which could increase the risk of flooding as now places that had not been classed as a flood risk ten years ago were now experiencing issues.

Councillor G Jones stated that he was happy to support the application as it was in a nice location and would enhance the village and he liked the plan to harvest the water.

In response to a comment from Councillor N Smith, the Head of Planning and Regeneration stated that there would be a condition included in the permission in relation to maintenance of the brook.

Councillor D J Stevenson stated that having listened to Mr R Whyard, it would be prudent for the applicant, should the application be granted, to consider some of the requests that were put forward.

RESOLVED THAT:

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

- 129. A6**  
**16/00199/FUL: ADDITIONAL USE FOR CAR SERVICING, REPAIR AND POLISHING AND STORAGE FOR 10 CARS**  
 Petrol Filling Station Ashby Road Boundary

Officer's Recommendation: Permit

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

The officer's recommendation was moved by Councillor J Bridges with the condition that the hours of opening were Monday to Saturday 10.00 – 18.00 and Sunday and Bank Holidays 10.00 – 13.00. It was seconded by Councillor R Adams.

Following a question from Councillor J Bridges, the Planning and Development Team Manager advised Members that following advice from the County Petroleum Officer there was no requirement for a condition in relation to the old fuel tanks as it was car servicing and repair workshops often ran side by side with petrol stations.

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Head of Planning and Regeneration with the inclusion of the condition of operating hours.

- 130. A7**  
**16/00371/VCI: VARIATION OF CONDITION 1 AND REMOVAL OF CONDITION 2 ASSOCIATED WITH PLANNING PERMISSION REFERENCE 15/00648/VCI TO ALLOW FOR THE REMOVAL OF PART OF BOUNDARY WALL (RETROSPECTIVE) AND FORMATION OF A VEHICULAR AND PEDESTRIAN ACCESS OFF THE DELPH WITH ASSOCIATED BRICK PIERS AND GATES.**  
 Breedon Hall Main Street Breedon On The Hill

Officer's Recommendation: Permit

The Senior Planning Officer presented the report to Members

The officer's recommendation was moved by Councillor J Hault and seconded by Councillor J Bridges.

RESOLVED THAT:

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

- 131. A8**  
**16/00370/LBC: REMOVAL OF PART OF BOUNDARY WALL (RETROSPECTIVE) AND FORMATION OF NEW GATES AND GATE PIERS FOR ACCESS TO AND FROM THE DELPH (FOR VEHICLES AND PEDESTRIANS) (LISTED BUILDING CONSENT)**  
Breedon Hall Main Street Breedon On The Hill

Officer's Recommendation: Permit

The Senior Planning Officer presented the report to Members

The officer's recommendation was moved by Councillor J Hoult and seconded by Councillor J Bridges.

RESOLVED THAT:

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

Having declared a pecuniary interest in item A9 Councillor N Smith left the meeting and took no part in the consideration and voting thereon.

- 132. A9**  
**16/00322/FUL: ERECTION OF A FIRST FLOOR EXTENSION, NEW CHIMNEY AND A 6 METRE FLAG POLE WITHIN THE FRONT GARDEN AREA**  
5 Main Street Ravenstone Coalville

Officer's Recommendation: Permit

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

The officer's recommendation was moved by Councillor J Bridges and seconded by Councillor M B Wyatt.

RESOLVED THAT:

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

Councillor N Smith returned to the meeting.

The meeting commenced at 4.30 pm

The Chairman closed the meeting at 6.00 pm