

MINUTES of a meeting of the PLANNING COMMITTEE held in the Council Chamber, Council Offices, Coalville on TUESDAY, 6 JUNE 2017

Present: Councillor D J Stevenson (Chairman)

Councillors R Adams, J Bridges, R Canny, J G Coxon, D Everitt, D Harrison, J Houlton, R Johnson, G Jones, J Legrys, P Purver, V Richichi and M Specht

Officers: Mr C Elston, Mrs H Exley, Mr A Mellor, Miss S Odedra and Mrs R Wallace

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Boam and J Cotterill.

The Chairman informed Members that Councillor J Cotterill was unwell and it was agreed that a letter wishing him a quick return to health be sent on behalf of the Committee.

2. DECLARATION OF INTERESTS

Councillors R Adams, R Canny, G Jones, J Legrys, M Specht and D Stevenson declared that they had been lobbied without influence in respect of item A2, application number 17/00381/FUL.

3. MINUTES

Consideration was given to the minutes of the meeting held on 9 May 2017.

With regards to his comments at minute number 127, Councillor J G Coxon asked for an amendment to reflect that fact that he did not agree with the whole application and not just the one bed units as stated.

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

RESOLVED THAT:

Subject to the above amendment, the minutes of the meeting held on 9 May 2017 be approved and signed by the Chairman as a correct record.

4. 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.

5. A1 17/00284/OUT: ERECTION OF ONE SELF BUILD DWELLING (OUTLINE - MEANS ACCESS AND LAYOUT FOR APPROVAL)

Barn Farm Babelake Street Packington Ashby De La Zouch Leicestershire LE65 1WD

Officer's Recommendation: REFUSE

The Senior Planning Officer presented the report to Members.

Mr S Bradwell, agent, addressed the Committee. He stressed that it was a self build project for a genuine family need to ensure the operation of the farm. He explained that the farm had been in the same family for four generations and the proposed dwelling would allow the applicant's son to be on site at all times instead of travelling each day. Mr S Bradwell stated that the area was full of sporadic development and therefore would not

Chairman's initials

stand out, plus it would be well screened by an existing hedgerow. He explained that the proposed dwelling could not be sited on the opposite side of the bungalow as it would impact on the everyday operation of the farm. He concluded that a much bigger dwelling had been approved on the opposite side of the road and it was difficult to see how a different recommendation was given to a similar application.

Councillor G Jones moved that the application be permitted on the grounds that it was a necessity to maintain the operation of the farm to keep it in the family and would lead to a reduction in traffic due to the applicant's son not having to commute. It was seconded by Councillor J Hoult.

Councillor J Legrys commented that he did not support the motion and agreed with the officer's recommendation to refuse the application. He raised concerns regarding the number of applications for self builds or agricultural need being considered by the Committee, especially as he suspected that in many cases a contractor would be brought in. He added that the site was outside the limits to development and he therefore trusted the officer's opinion.

Councillor J G Coxon commented that there was no real statement of need for this dwelling within the report and asked if anything had been submitted by the applicant. The Planning and Development Team Manager responded that there had not been anything submitted by the applicant with regards to an agricultural assessment. He added that as he understood it, the applicant's son did not assist his father with the operation of the farm on a full time basis as he had another occupation.

Councillor D Harrison commented that during the site visit he could see the requirement for assistance with the operation of the farm. He stated that the Committee permitted many applications such as this one which were judged on individual merits, therefore he believed that there was a real need which should be seriously considered. He felt it was important to think of the people that Members represented and that the applicant needed support.

Councillor D Everitt supported the officer's recommendation because he felt that if the applicant really was in need then the relevant evidence should have been provided. As the application stood, he believed the officer's had done a good job and their recommendation should be supported.

Councillor R Canny raised concerns of setting a precedent by granting permission as she believed it would encourage more applications in the area in future which could result in ribbon development. She also stated that the submitted Local Plan could now be given more weight.

The motion to permit the application was put to the vote.

A recorded vote having been requested by Councillor J Legrys, the voting was as follows:

For the motion:

Councillors D Harrison, J Hoult, G Jones and V Richichi (4).

Against the motion:

Councillors R Adams, J Bridges, R Canny, J G Coxon, D Everitt, R Johnson, J Legrys, P Purver, M Specht, and D J Stevenson (10).

Abstentions:

(0).

The motion was declared LOST.

The Chairman then put the officer's recommendation to the vote.

RESOLVED THAT:

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

6.

A2

17/00381/FUL: SUBDIVISION OF 5 BEDROOM DWELLING INTO A TWO BEDROOMED DWELLING AND A THREE BEDROOMED DWELLING, AND CHANGE OF USE OF AGRICULTURAL LAND TO RESIDENTIAL CURTILAGE TO PROVIDE PARKING

70 Elder Lane Griffydham Coalville Leicestershire LE67 8HD

Officer's Recommendation: PERMIT

The Senior Planning Officer presented the report to Members.

Mr A Andrews, objector, addressed the Committee. He stated that the proposed parking area was outside the limits to development, plus the application contradicted the NPPF and local plan as it was out of character with the surrounding area. He commented that the access to the site crossed over the access to his property and impacts the visibility of the highway. He also stated that he has attempted passing two medium sized vehicles on the access as detailed within the report and it was not possible. He concluded that the proposal did not make the area more sustainable, it did not add to the housing supply figures and the access was dangerous, therefore he urged Members to refuse planning permission.

Mr A Large, agent, addressed the Committee. He commented that he had been to the Committee many times and spoken regarding the importance of small builds in villages with an aging population. This was no different as the applicant was an aging gentleman living in a five bedroomed property by himself. The granting of the application would allow his family to move in and all to remain in the village. He explained that the proposal was well supported and he believed there was not an issue with the parking space as the paddock area had already been sub-divided and would have no impact behind the established hedge

The officer's recommendation 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.

7.

TO CONSIDER THE MAKING OF A TREE PRESERVATION ORDER ON LAND AT 23A ASHBY ROAD DONISTHORPE

The Chairman reminded Members that the proposed Tree Preservation Order was for two trees out of a total of 17 trees in the orchard.

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

Mr S Clarke, agent, addressed the Committee. He detailed the law regarding the confirmation of a Tree Preservation Order and urged Members not to use the power lightly. He informed Members that the removal of the trees was proposed as part of planning application 16/00678/FUL which had been submitted nine months prior. As it

Chairman's initials

had taken so long to put the Tree Preservation Order in place, Mr S Clarke questioned how important the officers felt the trees were and intimated it was a method of preventing planning permission being permitted. He concluded that there would be no benefit to the visual amenity by retaining the trees as there was no public view or any footpath nearby.

The officer's recommendation was moved by Councillor J Legrys and seconded by Councillor D Everitt.

Councillor J Bridges raised concerns regarding the timescale of the proposed Tree Preservation Order as the agent had highlighted that the related planning application had been in process for nine months. He stated that he would like to see a proper survey undertaken as to why the trees should be protected.

Councillor M Specht was surprised that the proposal was to protect only two of the trees. He also asked if the confirmation of the Tree Preservation Order would affect the planning application. The Planning and Development Team Manager reported that the application had not yet been determined but if confirmed, the Tree Preservation Order would form part of the considerations. He added that the applicant had not provided any evidence to suggest that the trees should be felled rather than retained.

The chairman also raised concerns regarding the timescales, especially as the owners could have taken the decision to remove the trees at any time previously.

In response to a question from Councillor G Jones, the Planning and Development Team Manager stated that he was unsure as to the reasons for the timescales. He explained that the initial planning application was submitted in mid-2016 and a number of issues had held it up. Also the proposed Tree Preservation Order was the result of an objection received to the removal of the trees, which had led to an officer visiting the site and taking the decision to protect the trees as detailed in the report. He explained that the lengthy timescales would not constitute a reason not to confirm the order.

The officer's recommendation to confirm the Tree Preservation Order was put to the vote and LOST.

Councillor J Bridges moved that the confirmation of the Tree Preservation Order be deferred to allow a thorough survey to be undertaken on the two trees in question. It was seconded by Councillor J Legrys.

RESOLVED THAT:

The confirmation of the Tree Preservation Order be deferred to allow the site owner to undertake a thorough tree survey of the trees recommended to be protected.

The meeting commenced at 4.30 pm

The Chairman closed the meeting at 5.20 pm

Chairman's signature