

MINUTES of a meeting of the PLANNING Committee held in the Council Chamber, Council Offices, Coalville on TUESDAY, 13 February 2018

Present: Councillor D J Stevenson (Chairman)

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

In Attendance: Councillors R D Bayliss, T J Pendleton and S Sheahan

Officers: Mr C Elston, Mrs H Exley, Mrs C Hammond, Mr J Knightley, Mr J Mattley, Mr J Newton and Miss S Odedra

65. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R Boam.

66. DECLARATION OF INTERESTS

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

Councillor R Adams declared a non-pecuniary interest in item A1, application number 17/01326/REMM, as he had campaigned in the past over development on the site but had come to the meeting with an open mind.

Councillor R Johnson declared a non-pecuniary interest in items A2, application number 17/00320/REMM and A5, application number 17/01098/FUL, as a member of Hugglescote and Donington le Heath Parish Council.

Councillor J Legrys declared a non-pecuniary interest in item A5, application number 17/01098/FUL, as he lived 400-500 metres from the site but had come to the meeting with an open mind.

Councillor P Purver declared a non-pecuniary interest in item A1, application number 17/01326/REMM, as her mother lived in the vicinity of the development.

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

Item A1, application number 17/01326/REMM

Councillors R Adams, R Canny, J Cotterill, D Everitt, R Johnson, J Legrys, P Purver, N Smith, M Specht and M B Wyatt

Item A2, application number 17/00320/REMM

Councillor J Legrys

Item A3, application number 17/01174/FULM

Councillor J Legrys

Item A4, application number 17/00921/FUL

Councillor J Legrys

Item A5, application number 17/01098/FUL

Councillor R Adams

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67. MINUTES

Consideration was given to the minutes of the meeting held on 9 January 2018.

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

RESOLVED THAT:

The minutes of the meeting held on 9 January 2018 be approved and signed by the Chairman as a correct.

68. PLANNING APPLICATIONS AND OTHER MATTERS

Consideration was given to the report of the Head of Planning and Infrastructure, as amended by the update sheet circulated at the meeting.

69. A1

17/01326/REMM: ERECTION OF 166 DWELLINGS WITH ASSOCIATED PUBLIC OPEN SPACE, INFRASTRUCTURE AND NATIONAL FOREST PLANTING (RESERVED MATTERS TO OUTLINE PLANNING PERMISSION REFERENCE NUMBER 17/00423/VCUM)

Land Off Greenhill Road Coalville Leicestershire

Officer's Recommendation: PERMIT subject to S106 Agreement

The Principal Planning Officer presented the report to Members.

Miss J Tebbatt, objector on behalf of the residents, addressed the Committee. She thanked the developer for the information changes received since the last meeting however the recreational activities in the water retention area and the road close to the existing properties were still not satisfactory. She highlighted that policy D1 and D2 were there to protect the existing residents and requested that the road that was showing on the new plan be removed and retained as green space to protect the existing residents from noise, dust and pollution created by vehicles using the road. She asked that the southwest drainage area be used for just that and that no recreational activities take place and that residents expected the layout on the approved plan to be forthcoming. She highlighted that the recreational use would cause noise and disturbance to the existing residents and pose a health and safety risk as a result of potential vandalism of the flood controls, adding that it would produce an activity zone that in its own rights had to meet certain requirements. She informed the Committee that dual use areas must be addressed and consulted on early in the process and be addressed on a site by site basis. She asked that a buffer zone around the area be 10m not 8m and/or a no ball or equipment use imposed and that councillors help to impose a common sense approach to the application.

Ms A Gilliver, applicant, addressed the Committee. She advised Members that the developer had addressed the number of issues that had been raised at the last meeting and reminded them that the principle of development had already been established and highlighted the following:-

- The existing drystone boundary wall would be retained and it was proposed that a green living screen be put in place along with landscaping and a 1.2m high post and rail fence.
- The drainage features have been designed in accordance with the approved FRA including all the discharged rates and including all provisions. The finer details were to be submitted for consultation with the relevant statutory consultee in respect of a required discharge of condition submission and as such no development could take place until approval given.

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- A local stonemason had advised the internal stonewalls could not be built as they currently were, but with a solid core, they could be built to look very similar.
- It was proposed to reduce the ground level near to the existing properties by 500mm above neighbouring land.
- The western parcel of land would be two fold, firstly to ensure the correct drainage on the site and secondly an attractive open space. The previous viewing platform would be removed from the plan and replaced with soft landscaping.

She urged the Committee to support a now acceptable, sustainable and deliverable application.

The officer's recommendation was moved by Councillor D Harrison and seconded by Councillor G Jones.

Councillor M B Wyatt stated that he was still not happy and would not be supporting the officer's recommendation. He advised that he had been trying to find common ground to address the concerns raised by residents and as such some minor changes had been made but some of the genuine issues had not been addressed. He also confirmed that he had prepared the statement he was reading from while the speakers were addressing the Committee.

Councillor J Legrys stated that he had deep concerns over the revised proposals. He sought clarification of the use of the word perpetuity in the report in relation to the use of a maintenance company should the County Highways not adopt the roads, and the roads being managed by the private company. He stated that there were a number of interpretations of the use of the word. He highlighted that there was substantial land around the country that was open to the public in perpetuity and managed by private companies and when they went bust the agreements ran into dust.

The Legal Advisor advised Members that the position was that LCC would not be adopting the roads and that a private company would be maintaining the road which would be secured by a section 106, therefore should the private company fold it would be up to the land owner to ensure the maintenance was carried out as it would be a registered charge which ran with the land.

Councillor J Legrys asked that in the event of both the developer and maintenance company wishing to no longer maintain the estate, where would it leave the residents. He expressed concerns that the authority would have to continue to collect the waste and if the road was not adopted the Council may not do so on unmaintained roads. He stated that residents would have to take their waste to the nearest suitable collection point on adopted roads. He felt that the Committee was being asked to make a decision on the word perpetuity, and as he had not received a definitive answer to his question was unable to support the application.

Councillor R Adams stated that he had raised his concerns at the last meeting and having listened to all parties nothing that had been said had addressed the concerns and therefore had not changed his mind.

In response to questions from Councillor R Canny, officers advised and pointed out the location of both the existing and proposed houses and that a balancing pond and green area were planned for the south west corner of the site.

In response to a question from Councillor D Everitt about the existing and proposed drystone walling, the Principal Planning Officer advised Members that the boundary walls would remain and the external walls would be rebuilt.

Councillor D Everitt expressed sadness that the heritage of the walls could not remain.

Councillor M B Wyatt requested a recorded vote.

Permit in accordance with officer's recommendation (Motion)	
A recorded vote having been requested, the voting was as follows:	
Councillor Ron Adams	Against
Councillor John Bridges	For
Councillor Rachel Canny	For
Councillor John Cotterill	For
Councillor John Coxon	For
Councillor David Everitt	Against
Councillor Dan Harrison	For
Councillor Jim Hault	For
Councillor Russell Johnson	Against
Councillor Geraint Jones	For
Councillor John Legrys	Against
Councillor Paula Purver	Against
Councillor Virge Richichi	Against
Councillor Nigel Smith	For
Councillor Michael Specht	For
Councillor David Stevenson	For
Councillor Michael Wyatt	Against
Carried	

RESOLVED THAT:

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

- 70. A2**
17/00320/REMM: ERECTION OF 213 DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING (RESERVED MATTERS TO OUTLINE PLANNING PERMISSION 16/01187/VCIM)
 Land At Grange Road Hugglescote Leicestershire

Officer's Recommendation: PERMIT

The Principal Planning Officer presented the report to Members.

Councillor S Palmer, on behalf of Hugglescote and Donington le Heath Parish Council, addressed the Committee. He stated that the development formed part of the local plan but was a missed opportunity as the site would only have 7.5% affordable housing as it would not be made up elsewhere. He expressed concerns over the lack of smaller sized dwellings and greenspace on the site, and that there was a lack of ability to walk and cycle anywhere, highlighting safety concerns with walking children to school, with lack of street lighting being the biggest concern. He stated that the proposed estate was ideally situated for those working at the Bardon industrial estate but again the only way to get to work would be to drive as there was a lack of public transport. He advised that the application went against the NPPF and Local Plan for those reasons, suggesting to Members that it appeared that they would be going against an excellent Local Plan.

Mr P Waterfield, agent, addressed the Committee. He stated that the high quality scheme that was before them would be the opportunity to help start the Coalville South East urban extension and would set the standard for other developers to adhere to. He advised that many comments had been raised over the lack of open space, the lack of open market bungalows and not providing suitable footpaths. He informed Members that amendments

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to address the concerns had been made, including the timing and delivery of the green space, bungalows, and footpath along Grange Road. He urged Members to support the application.

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

Councillor R Johnson stated that he had called the application in due to fear that the road was dangerous and that he had worked closely with officers on the application raising concerns over the footpath and street lights. He noted that LCC Highways had addressed the footpath but sought clarity on the street lights being installed. He expressed concerns over the mix of housing on the site and that there was only 7.5% affordable dwellings all clumped together and that there were only 2 bungalows when policy H6 stated that bungalows were needed. He stated that there were many things he did not agree with and that the application was all over the place. He expressed concerns that the report talked about the wider context of the site, not the 200 before them that would activate the trigger points in the viability assessment. He could not support that application in its present form with a lack of affordable mix and highways safety concerns.

Councillor M Specht stated that he took on board Councillor R Johnson's concerns over street lighting but stated that it did not matter if roads were well lit or not, there would always be accidents.

Councillor J Bridges asked if condition 17 would be going back to LCC for consultation.

The Principal Planning Officer advised Members that on the Grange Road footpaths that no development would start until such time the work and materials had been agreed.

Councillor J Legrys stated that the district needed the housing and the development had been part of plans since early 2000s but yet there was still no punch through road, and he was concerned over the withdrawal of the cycleways. He stated that he was saddened over the lack of affordable housing on the site. He felt that the houses would not sell as buyers would not buy homes unless there were safe highways and footpaths. He highlighted that when Bardon Road and the A511 backed up with traffic many road users used Grange Road as a cut through and therefore if new residents could not get off the cul-de-sac they would not buy the houses. He added that the district and town needed houses that residents could afford.

Councillor R Johnson requested a recorded vote

Permit in accordance with officer's recommendation (Motion)	
A recorded vote having been requested, the voting was as follows:	
Councillor Ron Adams	Against
Councillor John Bridges	For
Councillor Rachel Canny	For
Councillor John Cotterill	For
Councillor John Coxon	For
Councillor David Everitt	Against
Councillor Dan Harrison	For
Councillor Jim Hout	For
Councillor Russell Johnson	Against
Councillor Geraint Jones	For
Councillor John Legrys	Against
Councillor Paula Purver	For
Councillor Virge Richichi	For
Councillor Nigel Smith	For

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Councillor Michael Specht	For
Councillor David Stevenson	For
Councillor Michael Wyatt	Against
Carried	

RESOLVED THAT:

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

71. A3
17/01174/FULM: DEMOLITION OF THE EXISTING BUILDING AND THE ERECTION OF 24 AFFORDABLE RESIDENTIAL UNITS
 Police Station Ashby Road Coalville Leicestershire LE67 3QG

Officer's Recommendation: PERMIT subject to S106 Agreement

The Principal Planning Officer presented the report to Members.

Councillor R Bayliss, supporter, addressed the Committee. He stated that he was speaking as the Housing Portfolio Holder and that once built the homes would become part of the Council stock, providing 24 affordable homes exactly where they were wanted. He advised that the application before them was an improved plan following consultation with the Urban Designer. He highlighted that the development would remove a redundant building and replace with much needed homes for local people and would add vitality to the centre of Coalville. He informed the committee that the homes would be let to those on the waiting list that wished to live in Coalville.

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

Councillor M B Wyatt disagreed that the site should be used for affordable housing as the Council ran the risk of creating deprivation in the town centre and that more desirable housing should be encouraged. He stated that he could not support the application.

Councillor J Bridges stated that he could not agree with Councillor M B Wyatt as the report stated that the Urban Designer had been involved in the application from the start and that he had full confidence in both the Urban Designer and planning officer to ensure that the dwellings that will be on the site will be of the highest quality.

Councillor D Everitt stated that he supported the application going forward but regretted that the town did not have a police station.

Councillor G Jones stated that he agreed with Councillor D Everitt and felt the current building was ugly.

Councillor J Legrys stated that there were already a number of empty buildings in the town and the town did not need any more. He highlighted that this was an application for 24 units and that there were some traders that would like more people living in the town centre, and that the application would be driven by the Council. He welcomed the application.

Councillor R Adams stated that he welcomed the application and any increase in stock, but he expressed concerns over the demolition and construction following issues raised during the redevelopment of the former Pick and Shovel.

The Head of Planning and Infrastructure advised Members that a construction traffic management plan was to be provided as a condition of planning permission, and any specific concerns could be raised with officers.

RESOLVED THAT:

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

- 72. A4**
17/00921/FUL: ERECTION OF TWO FIRST FLOOR AND SINGLE STOREY REAR EXTENSIONS, EXTERNAL STAIRCASE, NEW SHOP FRONT TO ALLOW FOR THE CHANGE OF USE TO RESTAURANT WITH HOT FOOD TAKEAWAY SALES AND AN A2 (FINANCIAL AND PROFESSIONAL SERVICES) USE AND FOUR RESIDENTIAL UNITS ALONG WITH NEW GATES AND RAILINGS TO REAR BOUNDARY
 74 High Street Coalville Leicestershire LE67 3EE

Officer's Recommendation: PERMIT

The Senior Planning Officer presented the report to Members.

Mr A Funnell, agent, addressed the Committee. He advised Members that the intention was to provide a much needed coffee shop and give a facelift to a neglected building, and that the investment would come from both the applicant and the building owner. He highlighted that the development would bring much needed residential accommodation to the town and the various Council car parks would provide the parking for the visitors, residents and customers. He acknowledged the concerns over parking at the front of the building and would ensure that it was pedestrian use only. He drew Members attention to the comments from LCC Highways which supported the application.

The officer's recommendation was moved by Councillor J Legrys and seconded by Councillor R Adams.

Councillor J Legrys stated that he had called the application in as there had been sixteen objections to the application and he wanted to give the objectors an opportunity to put forward their concerns. He advised that he was concerned that the opening times of the coffee shop was to be earlier than stated in the report and application, but it was a good use of the building and it would bring much need flats to the town centre, which in turn would increase footfall. He asserted that the area in front of the shop should not be obstructed to not allow parking, as it also serviced the Constitutional Club premises next door, which he frequented.

Councillor R Canny stated that she welcomed the development to renovate a property in a prominent position.

Councillor N Smith stated that it was great to see investment in Coalville as it was an eyesore, and he supported the application.

Councillor J G Coxon stated that he welcomed the application as it would add vibrancy to the town, and that the authority needed to be promoting flats above shops as it was a good way to provide much needed homes. He supported the application.

Councillor R Adams stated that he also welcomed the application but was confused that the objectors had concerns over the restaurant use, which as he felt was much needed in the town centre.

UNANIMOUSLY RESOLVED THAT:

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

73.

A5

17/01098/FUL: CHANGE OF USE FROM A1 (RETAIL) USE TO MOT TEST CENTRE (SUI GENERIS USE) INCLUDING FORMATION OF NEW ROLLER SHUTTER DOOR OPENING TO FRONT ELEVATION

2A North Avenue Coalville Leicestershire LE67 3QX

Officer's Recommendation: PERMIT

The Senior Planning Officer presented the report to Members. She advised the Committee that if they were minded to permit the application it would be subject to consultation with Hugglescote and Donington le Heath Parish Council and permission would be granted subject to no new relevant planning material considerations being raised.

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

Councillor M Specht stated that he had expressed some concerns whilst on the site visit, but these had now be alleviated and was happy to support the application.

Councillor J Legrys stated that there had been a number of objections and it had been a retail unit which had been well used. He was pleased to see that the applicant wished to create a business in that part of the town but he had concerns over the noise that would be generated from the garage. He stated that Councillor V Richichi had advised that the noise would be kept to a minimum with the use of a pit and that it could only be used for MOTs. He supported the application.

RESOLVED THAT:

The application be permitted in accordance with the officer's recommendation subject to consultation with Hugglescote and Donington le Heath Parish Council and the parish council raising no new, relevant, material planning considerations to indicate that planning permission should be refused.

Councillor M B Wyatt left the meeting at 5.50pm.

The meeting commenced at 4.30 pm

The Chairman closed the meeting at 5.56 pm