

MINUTES of a meeting of the PLANNING Committee held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 11 January 2023

Present: Councillor R L Morris (Chairman)

Councillors R Boam, D Bigby, J Bridges, D Everitt, D Harrison, J Hoult, J Legrys, J G Simmons and K Merrie MBE

In Attendance: Councillors

Officers: Mr D Jones, Mrs C Hammond, Mr S James, Ms S Lee and Mr A Mellor

#### **40. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors M Wyatt and A Bridgen.

#### **41. DECLARATION OF INTERESTS**

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

Councillor D Harrison declared a registerable interest in Item A2 as a member of Leicestershire County Council.

Members declared that they had been lobbied without influence in respect of the following applications but had come to the meeting with an open mind.

Councillors R Morris, D Bigby, J Hoult, J Simmons, J Legrys and R Boam had been lobbied by the applicant in respect of Item A2.

#### **42. MINUTES**

Consideration was given to the minutes of the meeting held on 30 November 2022.

It was moved by Councillor J Legrys, seconded by Councillor D Harrison and

RESOLVED THAT:

The minutes of the meeting held on 30 November 2022 be approved and signed by the Chairman as a correct record.

#### **43. 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.

#### **44. A1**

Chairman's initials

**WITHDRAWN - 22/00691/REMM: ERECTION OF A ROAD RELATED STORAGE, MAINTENANCE AND MANAGEMENT FACILITY AND ASSOCIATED SITE WORKS (RESERVED MATTERS TO OUTLINE PLANNING PERMISSION REF. 17/01081/OUTM) (REVISED SCHEME)**

Flagstaff Island, Lountside, Ashby De La Zouch, LE65 1JP

**Officer's Recommendation: Permit**

45.

**A2**

**21/02281/FULM: PART FULL/PART OUTLINE PLANNING APPLICATION FOR THE DEVELOPMENT OF THE SITE COMPRISING SITE WIDE INFRASTRUCTURE WORKS INCLUDING ACCESS FROM (AND ALTERATIONS TO) GRANGE ROAD, INTERNAL SPINE ROAD, EARTHWORKS AND DEVELOPMENT PLATEAUS, STRUCTURAL LANDSCAPING, UTILITIES INFRASTRUCTURE, FOUL AND SURFACE WATER DRAINAGE INFRASTRUCTURE (INCLUDING ATTENUATION POND AND OUTLETS). FULL CONSENT SOUGHT FOR THE ERECTION OF 5 EMPLOYMENT UNITS (TOTALLING 2,719 SQUARE METRES) COMPRISING LIGHT INDUSTRY (CLASS E(G)(III)), GENERAL INDUSTRY (CLASS B2) AND/OR STORAGE AND DISTRIBUTION (CLASS B8) FLOORSPACE AND ANCILLARY OFFICES (CLASS E(G)(I)), INCLUDING ASSOCIATED SERVICE YARDS AND SERVICE VEHICLE PARKING, VEHICULAR AND CYCLE PARKING, BOUNDARY TREATMENTS AND RETAINING WALLS, UTILITIES INFRASTRUCTURE, FOUL AND SURFACE WATER DRAINAGE INFRASTRUCTURE AND HARD/SOFT LANDSCAPING. OUTLINE CONSENT (WITH ALL MATTERS RESERVED EXCEPT VEHICULAR ACCESS FROM GRANGE ROAD AND RE-GRADING OF SITE) SOUGHT FOR UP**

Land West of Regs Way, Bardon

**Officer's Recommendation: Permit subject to S106 Agreement**

The Principal Planning Officer presented the report to the committee.

Councillor Wood, on behalf of Hugglescote and Donington Le Heath Parish Council, addressed the committee. He asserted that this land was originally intended for use as a link/in fill. With regards to small scale employment, Councillor Wood suggested that the Local Plan offered no interpretation of small scale employment. It was noted that in the report the site is described as being situated outside the limits to development as specified in the Local Plan and the Neighbourhood Plan, and it was asserted the limits to development had become rather flexible. The traffic capacity at the nearby traffic island was called into question. It was suggested that by granting permission to this development, the opportunity for a railway halt which could potentially service a large catchment area would be lost. With regards to bus services, it was noted that the County had removed various bus services due to costs, which would therefore leave little opportunity for the development to be accessed without ownership of a vehicle.

Claire Biddle, the applicant, addressed the committee and described the purpose and scale of the proposed development and asserted that there had been overwhelming evidence that there would be local demand for this type of development. A key point raised was that each unit had between three and five firms who had expressed an interest. The meeting was informed that the site was already well screened with mature vegetation and that there would be a substantial separation from dwellings. It was noted that where possible, low carbon construction methods would be used. The applicant highlighted that Leicestershire County Highways had presented no objections to the scheme. The level crossing and pedestrian crossing points would be improved in a bid to encourage employees to walk and cycle to reach the development. The scheme aimed to reduce private car use by offering bus passes, improving bus stops, offering EV charging

Chairman's initials

points and through the provision of cycle parking. It was noted that ecological enhancements and an extensive landscaping scheme would be implemented.

Councillor R Johnson, Ward Member, addressed the committee and asserted that a development of this type of building and size would be detrimental at the entrance to the village of Hugglescote and highlighted to the meeting that a recent similar development only had a 56% occupancy. It was suggested that the proposed access and egress would be dangerous given its proximity to an active railway line and felt that by allowing this application, it would serve to undermine other parishes' confidence in the authority with regard to Neighbourhood Plan Policy. The fact the development would be outside the limits to development was highlighted. It was suggested that a better use for the site would be for public transport services for the former Burton to Leicester railway line and that the development would threaten the integrity of this. The meeting was informed that Network Rail had offered to fund a feasibility study into the cost of reopening this line, which is currently a freight only route. East Midlands Chamber Business Group also supported the reopening of this line. The Campaign to Reopen the Ivanhoe Line were noted as another group in support of re-establishing passenger rail links within the local area. It was suggested that by encouraging local people to use rail travel as opposed to private vehicles, this would support the council's green agenda and reduce carbon emissions.

A member suggested that by developing the second part of the site later, the immediate demand identified by the developer may no longer be in place, should businesses decide not to wait and to occupy industrial space in other locations, which would therefore leave empty, unneeded warehousing.

Officers responded that the applicant had elaborated that the delay in the second part of the application would be to allow the flexibility for interested parties to design their own units, and by taking this route the application would go through reserve matters more quickly. It was highlighted that applicants were required to provide evidence that indicates an immediate demand, but it was not a requirement of the policy that there must be named occupiers. The meeting was informed that a way to demonstrate immediate demand was to market the proposal to test the level of interest, and the applicant had done this. Planning officers were satisfied with the number of firms, the level of interest and the immediacy of interest presented which had been indicative of a level of demand sufficient to justify granting permission and to demonstrate compliance with the policy.

The amenity of the nearby residences was raised as a concern, as the second part of the development would be at a much higher elevation than the residential houses, which would prove to be overbearing.

Officers replied that they considered the separation distances as quite significant, and felt that residents' outlook would be onto the landscaping buffer so there would be no meaningful impact on residents.

A member wished to point out that in 1996 this site was allocated for a railway station however that they did not accept Network Rail would not intend to situate a station on this site. It was asked whether the evidence of demand from the developer had been tested. Members were advised that as the developer had done adequate marketing to provide this evidence, officers were satisfied from their professional standpoint that the demand had been demonstrated sufficiently to comply with policy.

A member suggested that the additional traffic congestion at the train crossing would be problematic, that it would be difficult for drivers to turn out of the development onto the A511 and also that the light pollution from the industrial units would be a significantly negative impact of permitting this development. The Chair noted concerns regarding light

pollution but suggested that new light fittings were now designed which casted light downwards to mitigate against light pollution and also suggested that given the current cost of energy this may become less of a problem going forward as firms would be more reluctant to have lighting on perpetually. Officers reassured members that light pollution was something which would be considered in the planning of this development.

A member thanked officers for a good report and questioned whether due to the fact there was a Neighbourhood Plan in place and that the proposed development would be outside the limits to development, if there had been adequate consultation with the Parish Council. Officers advised that the Parish Council had been consulted and given the opportunity to discuss the application with officers. A member emphasised the need to consult with and explain to Parish Councils any reasons for deviation from the plan. Officers affirmed that the policy allowed for deviation from the plan and that parishes would be included in any discussions around planned developments.

A member requested a more specific outline of what the time frame would be. Officers advised that the standard time frame would be three years but a shorter time frame of two years would be acceptable. Members supported a shorter time frame and asked that the two year limit be applied.

The recommendation to permit the application in accordance with the officer's recommendation was moved by Councillor D Harrison and seconded by Councillor R Boam.

The Chairman put the motion to the vote. A recorded vote being required, the voting was as detailed below.

RESOLVED THAT:

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

Closed 19:06

<b>Motion to permit the application in accordance with the officer recommendations (Motion)</b>	
Councillor Ray Morris	For
Councillor Russell Boam	For
Councillor Dave Bigby	Against
Councillor John Bridges	For
Councillor David Everitt	Against
Councillor Dan Harrison	For
Councillor Jim Hault	For
Councillor John Legrys	Against
Councillor Jenny Simmons	For
Councillor Keith Merrie MBE	No vote recorded
<b>Carried</b>	

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.06 pm

Chairman's initials