

MINUTES of a meeting of the PLANNING Committee held in the Council Chamber, Council Offices, Coalville on TUESDAY, 7 February 2023

Present: Councillor R L Morris (Chairman)

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

Officers: Mr C Elston, Mr D Jones, Mr S James, Mr L Marshall, Mrs R Wallace and Ms D Woods

46. APOLOGIES FOR ABSENCE

Apologies were received from Councillors A Bridgen and M B Wyatt.

47. DECLARATION OF INTERESTS

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

Councillor D Harrison declared an interest in Item A1, application number 22/00691/REMM as he would be speaking in objection as a Ward Member, it was noted that he would not take part in the vote on this item.

Councillor J Bridges declared an interest in Item A2, application number 22/01571/FUL and A3, application number 22/01568/FUL as he had been approached by the applicant in the past for advice, and although this had been a long time previous, wished to disclose that this had been the case.

Councillors D Bigby, J Hoult, J Legrys, J Simmons, R Morris and D Everitt declared an interest in Item A1, application number 22/00691/REMM as they had been lobbied but had come to the meeting with an open mind.

48. MINUTES

Consideration was given to the minutes of the meeting held on 11 January 2023.

It was moved by Councillor J Legrys, seconded by Councillor J Hoult and

RESOLVED THAT:

The minutes of the meeting held on 11 January 2023 be approved as an accurate record of proceedings.

49. PLANNING ENFORCEMENT UPDATE Q3 2022/23

The Planning and Development Team Manager presented the report and highlighted that the number of cases the team had received in Quarter 3 had been less than usual, and this was attributed to the time of year but had also been reflective of the wider economy, but that this would be monitored moving forward. It was noted that the team had predominantly been investigating householder type matters.

A staffing update on the Enforcement Team was provided, with members being informed that currently the team were operating with two Enforcement Officers and had lost agency staff, however interviews were scheduled for an additional Enforcement Officer and funding had requested for an Enforcement Team Leader, which would bring the team back to full strength. Due to these relatively low staffing levels, officers apologised that it had been taking longer than hoped to carry out investigations, but advised it was hoped that this would be temporary whilst new staff had been sought.

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

RESOLVED THAT:

The report be noted.

50. 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.

51. 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)

Having declared an interest, Councillor D Harrison removed himself from the Committee and joined the public gallery until he was invited to speak in objection.

The Senior Planning Officer presented the report to Members.

Mr Moore, objector, addressed the committee and challenged the access provisions as he believed it was not adequate due to the narrow road and the size of the vehicles using it. The number of lorries per hour and parking spaces on site were also questioned as he felt it would lead to major queuing which would impact the area. A concern was also shared in relation to how the toilet waste would be disposed of as there was no mention of the impact of foul waste from the sewers on the River Mease Special Area of Conservation.

Councillor D Harrison, Ward Member, addressed the Committee in objection to the application. He raised concerns that the scale was much larger than originally cited and expressed a wish to remind the committee that the River Mease had been discussed in detail in the inspector's report. He conceded that there would be economic benefits however felt that based on the information presented that these considerations would not outweigh the harm identified. It was noted that the site lay within the catchment area of the River Mease and was a special area of conservation, a site of special scientific interest, and therefore an assessment of whether the proposal would have an impact on this would be important. The amount of time it would take to unload all the vehicles was highlighted, and it was stated that even if a vehicle could be unloaded in an hour, this would leave vehicles standing and waiting for many hours to be unloaded.

Councillor D Harrison then left the meeting and took no part in the debate and voting thereon.

Officers responded that the River Mease issues did not form part of this discussion as they had been dealt with under the outline permission already approved, therefore it was not a consideration for the Planning Inspector on the outline application. It was reiterated that no objections had been received by the Highways Authority and the roads within the site were the responsibility for the landowner and not a consideration for the Committee.

In determining the application Members raised concerns in relation to the potential road safety issues whereby vehicles may be queuing and blocking the highway. Clarification was sought on whether Highways England, the responsible body for the motorway island, had any concerns about the overspill of vehicles blocking the road traffic island. Officers responded that the Highways England had not been consulted on the reserve matters application because they had not objected at the outline stages.

A discussion took place on the number of vehicles accessing the site per hour and a suggestion was made to include a condition to limit this number to three vehicles maximum. Officers advised that this would be an unenforceable condition, however a

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note could be added to the planning permission urging the applicant to consider parking and vehicular movement should Members wish.

Some further concerns were raised in relation to the possible detrimental impact this application could have to the area if approved and strong views were voiced in objection.

A motion to permit the application in accordance with the officer's recommendation with the inclusion of the note to applicant as suggested was moved by Councillor R Boam and seconded by Councillor J Bridges.

The Chair 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, with the added note to the applicant in relation to the parking and vehicular movement.

Councillor D Harrison returned to the meeting at the conclusion of the item.

Motion to permit the application in accordance with the officer recommendations (Motion)	
Councillor Ray Morris	For
Councillor Russell Boam	For
Councillor Dave Bigby	Against
Councillor John Bridges	For
Councillor David Everitt	Against
Councillor Dan Harrison	Conflict Of Interests
Councillor Jim Hault	Against
Councillor John Legrys	Against
Councillor Jenny Simmons	For
Councillor Ray Morris	For (Casting Vote)
Carried	

52. 22/01571/FUL: ALTERATION TO LAND LEVELS (RETROSPECTIVE)

The Senior Planning Officer presented the report to Members.

During discussions some Members shared concerns over the length of time taken for the applicant to make the retrospective application and it was noted that they would be less tolerant should they commit a similar act in future, whereby work had been undertaken without the appropriate permission and with an apparent reluctance to seek retrospective permission.

Further debate raised questions in relation to the possibility of imposing conditions, however it was noted that as the application was fully retrospective and works already undertaken, it would not be possible to impose any conditions.

A motion to permit the application in accordance with the officer's recommendation was moved by Councillor D Bigby and seconded by Councillor J Legrys.

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

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RESOLVED THAT:

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

Motion to permit the application in accordance with the officers recommendations (Motion)	
Councillor Ray Morris	For
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor John Bridges	For
Councillor David Everitt	For
Councillor Dan Harrison	For
Councillor Jim Hoults	For
Councillor John Legrys	For
Councillor Jenny Simmons	For
Carried	

53. 22/01568/FUL: GARAGE CONVERSION, NEW ELECTRIC GATES, ERECTION OF NEW BOUNDARY TREATMENT AND INSERTION OF ROOFLIGHT TO EXISTING DWELLING

The Senior Planning Officer presented the report to Members.

In determining the application some questions were raised on the possibility of the home gym being used for commercial purposes. Officers advised that if the applicant was to begin charging for access then it would therefore be a change of use and would be enforceable.

A motion to permit the application in accordance with the officer's recommendation was moved by Councillor D Harrison and seconded by Councillor D Bigby.

The Chair 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.

Motion to permit the application in accordance with the officers recommendation (Motion)	
Councillor Ray Morris	For
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor John Bridges	Against
Councillor David Everitt	For
Councillor Dan Harrison	Against
Councillor Jim Hoults	For
Councillor John Legrys	Against
Councillor Jenny Simmons	For
Carried	

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Prior to the conclusion of the meeting a short discussion was had in relation to the revised format of reports and Members opinions were sought on if it would be more useful to have the planning conditions presented in long hand. All Members agreed that it would be helpful and also suggested that a panoramic video be included, particularly for sites that are not easily accessible to visit. Officers agreed to investigate what could be achieved.

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.05 pm