

MINUTES of a meeting of the PLANNING Committee held in the Heartwood Conferencing, Rothley House, Coalville Business Park, Coalville, LE67 3NR on TUESDAY, 7 March 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 M B Wyatt

In Attendance: Councillors R Blunt, R Canny and R Johnson

Officers: Mr C Elston, Mr D Jones, Ms R Haynes, Mr S James, Mrs R Wallace and Ms J Davies

54. APOLOGIES FOR ABSENCE

Apologies were received from Councillor A Bridgen.

55. DECLARATION OF INTERESTS

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

Councillor D Harrison declared a registerable interest in item A1, application number 21/01407/FUL, as the Leicestershire County Council Ward Member.

Councillor J Legrys declared he had been lobbied in respect of item A1, application number 21/01407/FUL but had come to the meeting with an open mind.

56. MINUTES

Consideration was given to the minutes of the meeting held on 7 February 2023.

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

RESOLVED THAT:

The minutes of the meeting held on 7 February 2023 be approved and signed by the Chairman as a correct record.

57. 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.

58. 21/01407/FUL: CONTINUED USE OF LAND AS A CARAVAN SITE FOR GYPSIES/TRAVELLERS WITH SIX TOURING CARAVANS AND RETENTION OF AMENITY BLOCK, TOILET BUILDING, PARKING AREA AND SURFACING

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

Mr Makin, Parish Councillor, addressed the Committee in objection to the application. He felt that the site was not appropriate for this use and was a blot on the countryside. Reference was made to the history of the site and the previous applications, and refusals that had been supported by Planning Inspectors, he felt that the arguments against the use of the site in this way remained. He sympathised with the personal circumstances of the current occupiers of the site but felt that as planning permission sits with the land and not the person, there were real concerns with how much the site could grow in the future. He urged the Committee to reject or defer the application to allow the appeal process to continue and for the decision to be taken by the Planning Inspector.

Chairman's initials

Mr Statham, agent, addressed the Committee. He provided a summary of the history of the family that have been on the site for many years, the current family circumstances and reminded Members that no complaints had ever been received. He commented that sites for Gypsies and Travellers had been promised by this Council for years and nothing has yet been provided. He urged Members to approve the application so that the family could have a permanent place to live and adequate washroom facilities could be provided.

Councillor R Blunt, Ward Member, addressed the Committee. He acknowledged the length of time that this matter and local concerns had been ensuing but he did sympathise with the views of the applicant. He believed that the matter should be a decision of the Planning Inspector and therefore urged the Committee to reject or defer the application.

In determining the application the Members acknowledged the personal circumstances of the family currently living on the site, the delay in local authorities to provide adequate Gypsy and Traveller sites and the difficult situation for Members when making a decision. Some concerns were raised in relation to the risk in setting a future precedent by how the Committee deal with the application and also the costs involved for the Council if Members were minded to defer.

A question was raised as to whether the Committee, if minded to approve the application, could impose a condition to erect fencing on the site so that public could still have access to the footpath around the site. Officers advised that as it is a public highway it could not be imposed but a request could be made to the applicant.

As further discussions were moving towards deferral of the application, Officers asked that if Members were minded to defer then a decision would need to be made on whether officers should defend the appeal for the site that is to be redetermined, as representations would need to be made to the Planning Inspectorate. Members were reminded by the Head of Planning and Infrastructure that circumstances had changed over the years in relation to the Gypsy and Traveller status and the unmet need for pitches which officers consider significantly outweighs the visual impact and previous reasons for refusal and so an appeal would be difficult to defend.

A motion to defer the application to allow an impartial decision to be taken by the Planning Inspector was moved by Councillor D Harrison 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 deferred to allow an impartial decision to be made by the Planning Inspector.

Following a further discussion on the appeal process, the Chairman put the motion to defend the decision to the vote. A recorded vote being required, the voting was as detailed below.

RESOLVED THAT:

The Council continue to defend at appeal the decision taken by Committee in December 2016 for the previous reasons for refusal

Chairman's initials

Motion to Defer the application (Motion)	
Councillor Ray Morris	For
Councillor Russell Boam	For
Councillor Dave Bigby	Abstain
Councillor John Bridges	For
Councillor David Everitt	Abstain
Councillor Dan Harrison	For
Councillor Jim Hault	For
Councillor John Legrys	Abstain
Councillor Jenny Simmons	For
Councillor Michael Wyatt	For
Carried	
Motion to defend the decision to defer the application (Motion)	
Councillor Ray Morris	For
Councillor Russell Boam	For
Councillor Dave Bigby	Abstain
Councillor John Bridges	For
Councillor David Everitt	Abstain
Councillor Dan Harrison	For
Councillor Jim Hault	For
Councillor John Legrys	Abstain
Councillor Jenny Simmons	For
Councillor Michael Wyatt	For
Carried	

The meeting commenced at 6.15 pm

The Chairman closed the meeting at 6.54 pm

Chairman's initials