

MINUTES of a meeting of the PLANNING Committee held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 3 October 2023

Present: Councillor R Boam (Chair)

Councillors D Bigby, R Blunt (Substitute for Councillor R L Morris), R Canny, D Cooper (Substitute for Councillor C A Sewell), D Everitt, T Eynon (Substitute for Councillor P Moulton), J Legrys, J G Simmons, N Smith and M B Wyatt (Substitute for Councillor M Burke)

In Attendance: Councillors A Barker

Officers: Mr C Elston, Mr D Jones, Mr S James and Mrs R Wallace

## **28. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors M Burke, R Morris, P Moulton and C Sewell.

## **29. DECLARATION OF INTERESTS**

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

Councillor T Eynon declared an 'other' interest in item A1, application number 21/00233/REMM and item A2, application number 21/00711/REMM as she was approached by the applicant for advice as a General Practitioner at the time of the initial outline planning permission application for the site.

Councillor N Smith declared an 'other' interest in item A1, application number 21/00233/REMM and item A2, application number 21/00711/REMM as an acquaintance of the landowner, however contact had not been made for many years.

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.

item A1, application number 21/00233/REMM and item A2, application number 21/00711/REMM

Councillors D Cooper and J Legrys.

## **30. MINUTES**

Consideration was given to the minutes of the meeting held on 12 September 2023.

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

RESOLVED THAT:

The minutes of the meeting held on 12 September 2023 be approved and signed by the Chairman as a correct record.

## **31. PLANNING APPLICATIONS AND OTHER MATTERS**

Chairman's initials

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

**32. A1 - 21/00233/REMM: RESERVED MATTERS APPROVAL (ACCESS, APPEARANCE, LAYOUT AND SCALE) (OUTLINE PLANNING PERMISSION 15/00456/OUTM) FOR A 62 BED CARE-HOME DEVELOPMENT AND 15 CARE RELATED DWELLINGS ALONG WITH VEHICULAR ACCESS FROM ASHBY ROAD AND INTERNAL LAYOUT FOR THE FIRST PHASE**

Willow Farm, Ashby Road, Moira, Swadlincote, DE12 6DP

**Officer's recommendation:** Permit

The Chair advised that as items A1 and A2 related to the same site, they would be considered together but would be voted on separately.

The Principal Planning Officer presented the report to members.

Mr Shephard, representative for the Parish Council, addressed the Committee and highlighted concerns that had been raised from when the outline permission was applied for several years ago through to the application in front of Members. Reference was made to the traffic survey which he felt was not accurate as it was undertaken during the Covid Pandemic, it was suggested that should the application be permitted, the speed of the road be reduced to 30mph, and a pedestrian crossing be installed to enable the elderly residents to safely cross the busy road. Mention was also made to the installation of double yellow lines to stop dangerous parking. Reference was made to the medical provision in the area and that it has already been identified as not being able to meet local needs. As the previous outline planning permission was granted eight years ago, it was suggested that it be reviewed due to the changes over this period.

Mr McCaffrey, objector, addressed the Committee. Reference was made to the 'precise details' required for condition 5 and it was highlighted that these details were not included in the application. Concerns were also raised regarding the accuracy of the plans due to nearby dwellings being incorrect, the measurements being incorrect for condition 11 and the unacceptable number of parking spaces. In relation to the wildlife on the site, it was confirmed that bats and owls had been seen and it was suspected that as part of the unoccupied house on the site was open to the elements, the wildlife could be settled there. It was also suggested that due to the length of time since it was last undertaken, the traffic survey be carried out again.

Ms Else, agent, addressed the Committee highlighting the conditions attached to the outline planning permission, the Section 106 Agreement and information in relation to the lease management. In relation to the medical provision, it was confirmed that as the service provider was operating several care homes, links were already made with medical practitioners of their own and therefore no additional pressure would be placed on the local medical provision. Members were reminded that the application was only in relation to the appearance, scale, landscaping, access and layout, and it was highlighted how the changes made, reflecting on feedback from local residents and officers, concealed the height and mass of the building.

As the Ward Member was unable to attend the meeting, a written statement had been submitted which was read to the Committee by the Democratic Services Officer. It highlighted concerns of residents in relation to loss of access to private driveways, reduction in speed limit on the Ashby Road carriageway, relocation of bus stop, loss of trees and disruption to residents during building works.

Chairman's initials

The Planning and Development Team Manager addressed the matters raised by the speakers.

In determining the application Members noted the improved changes to the application made by the Council's Urban Design Officers and acknowledged that highway matters were not something the committee could consider. Members were reminded that the pedestrian crossing was covered by condition 8 of the outline permission. Due to the concerns raised by residents, officers were asked to send a letter to the applicant to encourage proper dialogue with the community. It was suggested this be done via a liaison committee.

Comments were made in relation to the appropriate internal layout of the two storey homes to ensure residents could stay in their homes rather than move onto additional care should they chose to. Officers confirmed that this was not a planning consideration, however the Chair invited the agent to come forward and provide information. It was noted that the homes would be built in accordance with the disability standard regulations as applied.

Further general discussion was had on the retention of the hedgerows, local amenities, and proposed parking provision. The applicant was encouraged to work with the Parish Council on the external aesthetics of the proposed building.

The recommendation to permit the application in accordance with the officer's recommendation was moved by Councillor R Canny and seconded by Councillor N Smith.

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.

<b>Motion to permit the application in accordance with the officer's recommendations (Motion)</b>	
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor Richard Blunt	For
Councillor Rachel Canny	For
Councillor Doug Cooper	For
Councillor David Everitt	For
Councillor Dr Terri Eynon	For
Councillor John Legrys	Against
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Michael Wyatt	For
<b>Carried</b>	

**33. A2 - 21/00711/REMM: RESERVED MATTERS APPROVAL (INTERNAL ACCESS, APPEARANCE, LAYOUT, SCALE AND LANDSCAPING) (OUTLINE PLANNING PERMISSION 15/00456/OUTM) FOR A 45 UNIT APARTMENT BLOCK WITHIN THE SECOND PHASE**

Willow Farm, Ashby Road, Moira, Swadlincote, DE12 6DP

**Officer's recommendation:** Permit

Chairman's initials

The recommendation to permit the application in accordance with the officer's recommendation was moved by Councillor R Canny and seconded by Councillor N Smith.

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.

<b>Motion to permit the application in accordance with the officer's recommendations (Motion)</b>	
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor Richard Blunt	No vote recorded
Councillor Rachel Canny	For
Councillor Doug Cooper	For
Councillor David Everitt	For
Councillor Dr Terri Eynon	For
Councillor John Legrys	Against
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Michael Wyatt	For
<b>Carried</b>	

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.15 pm