

MINUTES of a meeting of the PLANNING Committee held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 5 December 2023

Present: Councillor R Boam (Chair)

Councillors R L Morris, D Bigby, R Canny, D Everitt, J Geary (Substitute for Councillor C A Sewell for item A1 only), J Legrys, P Moulton, C A Sewell, J G Simmons, N Smith and M B Wyatt (Substitute for Councillor M Burke)

In Attendance: Councillors R Sutton, R Johnson and M Blair-Park

Officers: Ms S Booth, Mr C Elston, Ms L Foreman, Mr D Jones, Mr S James, Mr C Unwin-Williams, Mrs R Wallace and Ms D Wood

#### **44. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor M Burke.

#### **45. DECLARATION OF INTERESTS**

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

Councillor C Sewell declared a Registerable Interest in item A1 – application number 23/00933/FUL, as she was speaking on the application as the adjoining Ward Member. During the consideration and voting on the application, Councillor J Geary would join the Committee as a substitute for Councillor Sewell.

Councillor N Smith declared an Other Interest in item A2 – application number 23/01048/OUT, as an acquaintance of the applicant, however he had not made contact for many years.

Councillor R Boam declared a Registerable Interest in item A2 - application number 23/01048/OUT, as the Ward Member. He would not take part in the consideration and voting on the application. Councillor R Morris would take the chair for the duration of the item.

Councillor J Legrys declared an Other Interest in item A3 - application number 23/00905/FUL, as an acquaintance of the applicant through his wife who was previously a general practitioner at the medical practice, however contact had not been made for many years.

Councillor D Bigby declared a Registerable Interest in Item A4 - application number 23/01148/FUL, as an Ashby Town Parish Councillor and had taken part in discussions on the application but had come to the Planning Committee meeting with an open mind.

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 23/00933/FUL: Councillors R Boam, D Bigby, R Canny, D Everitt, J Legrys, P Moulton, C Sewell, J Simmons and M Wyatt. Councillor J Geary declared he had been lobbied once he had joined the meeting as a substitute for this item.

Item A2 - application number 23/01048/OUT: Councillors R Boam, D Bigby, R Canny, D Everitt, J Legrys, P Moulton, C Sewell, J Simmons and M Wyatt.

Item A3 - application number 23/00905/FUL: Councillors R Boam, D Bigby, R Canny, D Everitt, J Legrys, P Moulton, C Sewell, J Simmons and M Wyatt.

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Item A4 - application number 23/01148/FUL: Councillors R Boam, D Bigby, R Canny, D Everitt, J Legrys, R Morris, C Sewell and J Simmons.

#### **46. MINUTES**

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

It was moved by Councillor N Smith, seconded by Councillor P Moulton and

RESOLVED THAT:

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

#### **47. 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.

#### **48. 23/00933/FUL: PROPOSED CONVERSION OF FORMER CHAPEL INTO NINE RESIDENTIAL FLATS AND ASSOCIATED DEVELOPMENT**

Kegworth Wesley Methodist Church, High Street, Kegworth

**Officer's recommendation:** Permit

Having declared an interest in the item, Councillor C Sewell removed herself from the meeting to join the public gallery prior to being invited to speak as the adjoining Ward Member. Councillor J Geary joined the Committee as a substitute and declared that he had been lobbied without influence on the item.

The Senior Planning Officer presented the report.

Mr A Prestley, Parish Councillor, addressed the Committee. He highlighted the Parish Council's main concern of the lack of parking provision proposed and informed Members of the very little parking available in Kegworth. He summarised the current issues with roadside parking and the problems it caused for the community including antisocial and illegal parking. It was the Parish Council's view that the applicant should reconsider the parking provision to allow more parking spaces within the curtilage of the site. The Committee were urged to refuse the application.

Mr L Morris, agent, addressed the Committee. He reported that he had worked closely with planning officers to address concerns and that there had been no objections from the statutory consultees. The economic benefits were noted and the important utilisation of the building to ensure its long-term survival. Reference was also made to the nearby working facilities for potential residents and the good local amenities.

Councillor R Sutton, Ward Member, addressed the Committee. He acknowledged that the Committee were required to consider material reasons for this application but having undertaken research, he could not find any similar applications that had been approved by another authority on its first submission. He went on to quote several cases and made comparisons between them and the application in front of Members to indicate reasons why the application should not be approved.

Councillor C Sewell, adjoining Ward Member, addressed the Committee. She stressed how the limited parking in Kegworth was problematic and that antisocial parking occurred

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regularly. She referred to the proposed cycle store and informed the committee that the use of cycles had decreased due to the lack of cycle paths and the recent changes to the road network making this form of travel difficult. She acknowledged that the building did need to be improved but was concerned that approving this application would set a precedent for other similar applications.

After addressing the Committee, Councillor C Sewell left the meeting during consideration and voting on the item.

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

In determining the application Members acknowledged the need to preserve this historic building and the severe parking issues in the area. Several concerns were raised in relation to the lack of parking provision proposed for the development and a discussion was had on the availability of other forms of transport such as cycle and public transport.

The officer's recommendation to permit the application was moved by Councillor R Morris and seconded by Councillor R Boam.

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

The motion was CARRIED.

RESOLVED THAT:

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

At the conclusion of the item, Councillor C Sewell returned to the Committee. Therefore, as no longer required as a substitute, Councillor J Geary left the meeting.

<b>Motion to permit in accordance with officer's recommendation (Motion)</b>	
Councillor Russell Boam	For
Councillor Ray Morris	For
Councillor Dave Bigby	Against
Councillor Rachel Canny	For
Councillor David Everitt	Against
Councillor John Geary	Against
Councillor John Legrys	Against
Councillor Peter Mout	Against
Councillor Carol Sewell	Conflict Of Interests
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Michael Wyatt	For
<b>Carried</b>	

**49. 23/01048/OUT: ERECTION OF THREE SELF-BUILD DETACHED DWELLINGS  
(OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS)**

67 Loughborough Road, Coleorton, Coalville, Leicestershire, LE67 8HJ

**Officer's recommendation:** Permit

Having declared an interest in the item, Councillor R Boam removed himself from the Chair and the meeting. As Deputy Chair of the Committee, Councillor R Morris took the Chair.

The Planning Officer presented the report.

Ms A Hill, Parish Councillor, addressed the Committee. It was stated that the application contravened Planning Policies S2 and S3 of the Council's Local Plan, as well as Policy H2 of the 'Swannington Neighbourhood Plan, and reference was made to the previous refusal for development on the site for those reasons. Concerns were raised in relation to the lack of amenities and public transport in the area, as well as the negative impact the development would have on the appearance of the landscape. Mention was also made to the busy stretch of the A512 that this site was adjacent and the accidents that had occurred over the years. The Parish Council felt that the self-build rules were being exploited to destroy valuable countryside and were concerned it would set a precedent if permitted.

Mr D Harris-Watkins, agent, addressed the Committee. Members were reminded that there were no objections from the statutory consultees and the intention of the applicant to preserve a large part of the site for environmental purposes. It was stated that the applicant was very passionate about self-builds and all the residents that would be moving into the development were currently on the self-build register. Members were urged to permit the application.

The Planning Officer addressed the matters raised by the speakers.

In determining the application Members expressed their disappointment that a proposed development for the site had returned to committee with no changes following a previous refusal. The Planning and Development Team Manager clarified some points regarding self-build policy and the reasons it was refused when previously considered by Committee.

A motion to refuse the application on the grounds that it contravened Planning Policies S2 and S3 of the Local Plan and policy H2 of the Swannington Neighbourhood Plan was moved by Councillor D Bigby and seconded by Councillor J Legrys.

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

The motion was CARRIED.

RESOLVED THAT:

The application be refused on the grounds that it contravened Planning Policies S2 and S3 of the Council's Local Plan and policy H2 of the Swannington Neighbourhood Plan.

At the conclusion of the item, Councillor R Boam returned to the meeting and the Chair.

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<b>Motion to refuse on the grounds that it was contrary to Policy S2 and S3 of the Local Plan (Motion)</b>	
Councillor Russell Boam	Conflict Of Interests
Councillor Ray Morris	Against
Councillor Dave Bigby	For
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor John Legrys	For
Councillor Peter Moulton	For
Councillor Carol Sewell	For
Councillor Jenny Simmons	Against
Councillor Nigel Smith	Against
Councillor Michael Wyatt	Against
<b>Carried</b>	

**50. 23/00905/FUL: DEMOLITION OF EXISTING NURSERY, AND ERECTION OF BUILDING COMPRISING CHILDREN'S NURSERY, AND 5 RESIDENTIAL APARTMENTS, TOGETHER WITH ASSOCIATED PARKING, LANDSCAPING, BIN AND CYCLE STORE**

8 Forest Road, Coalville, Leicestershire, LE67 3SH

**Officer's recommendation:** Permit

The Senior Planning Officer presented the report.

Mr J Jowitt, agent, addressed the Committee. He highlighted the conditions agreed, the lack of objections from statutory consultees and the ecological benefits the proposal would provide. He stated that he had worked with planning officers to address any concerns and urged Members to permit the application.

Councillor R Johnson, Ward Member, addressed the Committee. He commented on the lack of parking provision, no turning circle within the carpark, narrow access road and restricted visibility. The lack of amenities in the area was also raised and the concerns of loss of light for the neighbour at number six due to the size of the development. If Members were minded to permit the application, they were asked to request a construction site traffic management plan to protect the neighbouring residents.

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

In determining the application Members considered the scale of the development, the fit with the street scene and the access road. Some comments were made on the possible parking issues that could occur, including parking on Forest Road rather than the car park during nursery collection and drop off times. Concerns were raised that the Parish Council's neighbourhood plan was being disregarded with the application.

Clarification was sought from officers in relation to the current width and the proposed width of the access road.

The officer's recommendation to permit the application was moved by Councillor R Morris and seconded by Councillor N Smith.

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

The motion was CARRIED.

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RESOLVED THAT:

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

<b>Motion to permit in accordance with officer's recommendation (Motion)</b>	
Councillor Russell Boam	For
Councillor Ray Morris	For
Councillor Dave Bigby	Abstain
Councillor Rachel Canny	For
Councillor David Everitt	Abstain
Councillor John Legrys	Against
Councillor Peter Mout	Abstain
Councillor Carol Sewell	Against
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Michael Wyatt	Abstain
<b>Carried</b>	

**51. 23/01148/FUL: ERECTION OF TWO STOREY SIDE AND REAR EXTENSION, SINGLE STOREY REAR EXTENSION AND REPLACEMENT WINDOWS**

Hemingford, South Street, Ashby De La Zouch, LE65 1BR

**Officer's recommendation:** Permit

The Planning Officer presented the report.

Mr S Spare, objector, addressed the Committee. He explained that his mother resided at the neighbouring property to the application site and was very anxious about the impact of the proposal due to its size. He believed that the application breached several planning policies in relation to scaling and massing, flooding, and parking. He also believed it contradicted the 45-degree rule in relation to overlooking. As he felt the proposal did not meet the requirements, he urged that Members refuse it.

Ms J Crooks, applicant, addressed the Committee. She highlighted that there would be no detrimental impact and there was no material planning reasons to refuse the application. It was reported that it complied with the Council's Local Plan and the Parish Council's Neighbourhood Plan and she would comply with any conditions deemed necessary by the Committee.

Councillor M Blair-Park, Ward Member, addressed the Committee. He reported that when an application on this site was previously considered by the Committee it was refused due to comments from the conservation officer and the size and appearance. It was noted that there was no change to the size or impact the proposal would have on the area. It was commented that there was not an objection to the extension to the property, however it was the scale and size that was causing concerns. It was stated that contrary to the report, there was a lack of on street parking in the area.

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

In determining the application Members considered the size of the proposals and whether this would be overbearing on the neighbouring property. Some discussion was also had on the comments of the conservation officer and clarification was sought from officers.

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Although some concerns were raised in relation to the impact on the street scene, other Members felt it would enhance the area.

The officer's recommendation to permit the application was moved by Councillor R Morris and seconded by Councillor R Boam.

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

The motion was CARRIED.

RESOLVED THAT:

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

<b>Motion to permit in accordance with officer's recommendation (Motion)</b>	
Councillor Russell Boam	For
Councillor Ray Morris	For
Councillor Dave Bigby	Against
Councillor Rachel Canny	For
Councillor David Everitt	Against
Councillor John Legrys	Against
Councillor Peter Mout	Against
Councillor Carol Sewell	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 8.15 pm