

MINUTES of a meeting of the PLANNING Committee held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 6 August 2024

Present: Councillor R Boam (Chair)

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

Officers: Ms S Booth, Mr C Elston, Mr S James and Mrs R Wallace

12. APOLOGIES FOR ABSENCE

Apologies were received from Councillor M Burke and R Morris.

13. DECLARATION OF INTERESTS

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 24/00203/FUL: Councillors R Canny, D Everitt and J Legrys.

14. MINUTES

Consideration was given to the minutes of the meeting held on 10 July 2024.

It was moved by Councillor J Legrys, seconded by Councillor N Smith and

RESOLVED THAT:

The minutes of the meeting held on 10 July 2024 be approved and signed by the Chair as a correct record.

15. 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.

16. A1 24/00203/FUL: ERECTION OF AN OUTBUILDING CONSISTING OF A GAMES/PLAY ROOM, BEDROOM, OFFICE, GARDEN STORAGE AND SHOWER ROOM 7 Garden Crescent, Castle Donington, Derby Officer's Recommendation: Permit

7 Garden Crescent, Castle Donington, Derby

Officer's recommendation: Permit

The Senior Planning Officer presented the report to Members.

Mr C Baillon-Saunders, agent, addressed the Committee. He provided background information into the history of the site and explained how the current outbuilding was permitted under a certificate of lawfulness. He reminded Members that the only matter for discussion was the addition of a bedroom and therefore urged approval.

In determining the application Members acknowledged the previous applications for the site and expressed concerns regarding the use of the building in future should the

Chair's initials

applicant decide to let the bedroom out or create a separate dwelling. The Senior Planning Officer explained some of the proposed conditions for the building which restricted who could use the bedroom to family members only.

Members discussed the possibility of refusal and the chance of the applicant adding a bedroom into the outbuilding at a later date. The Senior Planning Officer confirmed that case law indicated this could be done. Members were therefore minded to permit the application to ensure this could not occur under the conditions imposed. Members were assured that the use of the outbuilding would be monitored if it was reported that the conditions were not being adhered to.

Following further concerns on the possible future use of the outbuilding, the Head of Planning and Infrastructure suggested that the occupancy condition be enhanced to not only restrict occupancy to family members but also that the outbuilding and host dwelling remain as one planning unit with the main dwelling and not to be separated. Members agreed with this suggestion.

The officer's recommendation to permit the application including the enhanced occupancy condition as agreed 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.

RESOLVED THAT:

The application be permitted in accordance with the officer's recommendation including the enhanced occupancy condition for the outbuilding to remain as an ancillary to the main dwelling and not be separated.

Motion to permit in accordance with the officer's recommendations including the enhanced condition regarding occupancy (Motion)	
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor Rachel Canny	For
Councillor David Everitt	Against
Councillor John Legrys	For
Councillor Peter Moulton	For
Councillor Carol Sewell	Against
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
Councillor Michael Wyatt	No vote recorded
Carried	

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 6.30 pm