

MINUTES of a meeting of the PLANNING Committee held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 14 January 2025

Present: Councillor R Boam (Chair)

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

In Attendance: Councillors A Barker

Officers: Mr J Arnold, Ms J Davies, Mr C Elston, Mr A Mellor and Mrs R Wallace

33. APOLOGIES FOR ABSENCE

Apologies were received from Councillors J Simmons and N Smith.

34. DECLARATION OF INTERESTS

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

Councillor P Moulton declared a registerable interest in item A1 – application 23/01277/OUTM as a Whitwick Parish Councillor.

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 23/01277/OUTM: Councillors D Bigby, R Blunt, R Canny, D Everitt, J Legrys, C Sewell and P Moulton.

35. MINUTES

Consideration was given to the minutes of the meeting held on 12 November 2024.

It was moved by Councillor J Legrys, seconded by Councillor R Morris and

RESOLVED THAT:

The minutes of the meeting held on 12 November 2024 be approved and signed by the Chair as a correct record.

36. 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.

37. A1 23/01277/OUTM: DEMOLITION OF NOS. 137 AND 139 CHURCH LANE AND THE REDEVELOPMENT OF THE SITE TO PROVIDE 13 DWELLINGS WITH ASSOCIATED WORKS (OUTLINE, MEANS OF ACCESS, LAYOUT AND SCALE FOR APPROVAL)

137 Church Lane, Whitwick, Coalville

Officer's Recommendation: Permit subject to Section 106 Agreement

The Head of Planning and Infrastructure announced that an appeal to the Planning Inspectorate against non-determination had been lodged by the applicant on 13 January

Chair's initials

2025 and the Committee could no longer determine the application. Therefore, Members were asked to make a resolution on how the Planning Committee would have decided the application which would then form the Council's case presented to the Planning Inspectorate as part of the appeal process.

The Principal Planning Officer presented the report.

Mr P Hopkins, objector, addressed the Committee. He highlighted that as the applicant was unwilling to conduct a further highway survey the Committee were being asked to make an opinion on flawed data. It was reported that traffic regularly travelled along Church Lane in excess of 30 miles per hour which was dangerous for both road users and pedestrians, especially the children that walked to the local school 500 metres away from the site. In addition, the development would mean a loss of amenity and natural habitat, loss of direct sunlight for several properties due to poor design and lack of additional parking which could lead to dangerous on street parking on Church Lane. It was also felt that the development was too dense for the size of the site. To conclude Members were urged to refuse the application on the grounds of the reasons stated and the many local objections.

Legal advice was sought regarding the right of the Ward Member to speak following the additional information received on the appeal process prior to the meeting. It was clarified that the Council's rules on registering to speak at Planning Committee were being adhered and although the Ward Member could not speak at the meeting, they would have the opportunity to provide evidence as part of the appeal process.

During discussion, several Members acknowledged the merits of the application and noted the lack of objection from statutory authorities. Some concern was raised regarding the proposed removal of trees, density of the site, loss of amenity and visual impact. It was requested that should the application be approved, a note to the applicant be included to retain the landscaping on the parcel of land adjoining the development.

Members expressed disappointment that the applicant had not undertaken another highway survey as requested at the previous meeting, as well as lodged the appeal which meant a determination by the committee could not be made.

Following a comment in relation to costs to the Council as part of the appeal process, it was noted that this was dependant on the reasons for the decision. Members were advised that should the committee be minded to refuse, then the Council could incur costs if it was considered that the circumstances of the refusal was unreasonable.

During discussion, Officers clarified the appeal process, timescales for determining and the non-determination rules. It was confirmed that a Section 106 Agreement would now be determined by the Planning Inspector as part of the appeal process.

The officer's recommendation was moved by Councillor R Canny and seconded by Councillor D Bigby.

A Member sought to move an amendment to refuse the application, however they were advised that the proposal was unacceptable in accordance with the Council's Constitution as it negated the motion.

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

RESOLVED THAT:

If the Council were able to determine the application, it would have been permitted subject to Section 106 Agreement.

If the Council were able to determine the application, motion to permit the application (Motion)	
Councillor Russell Boam	Against
Councillor Ray Morris	Against
Councillor Dave Bigby	For
Councillor Richard Blunt	For
Councillor Morgan Burke	For
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor John Legrys	Against
Councillor Peter Moulton	Against
Councillor Carol Sewell	Against
Councillor Michael Wyatt	For
Carried	

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.04 pm

Chair's signature