

MINUTES of a meeting of the PLANNING Committee held in the Council Chamber, Council Offices, Coalville on TUESDAY, 5 November 2019

Present: Councillor N Smith (Chairman)

Councillors R Boam, R Canny, J Clarke, D Everitt, D Harrison, J Hoult, J Legrys, M B Wyatt and D Bigby (Substitute for Councillor R Johnson)

In Attendance: Councillors A C Saffell

Officers: Mr C Elston, Mr J Mattley, Miss S Odedra, Mrs H Exley, Mrs C Hammond, Mr J Knightley and Ms C Proudfoot

### **39. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors A Bridgen and R Johnson

### **40. DECLARATION OF INTERESTS**

Members declared that they had been lobbied without influence on the following applications but had come to the meeting with an open mind:

Item A1, application number 17/01136/OUTM

Councillors R Boam, R Canny, J Clarke, D Harrison, J Hoult, J Legrys and N Smith.

Councillor R Canny declared that she has also attended Parish Council meetings where the application had been discussed but still attended with an open mind.

Item A2, application number 19/00344/VC1

Councillors J Clarke, J Hoult, J Legrys and N Smith.

Item A3, application number 19/00349/VC1

Councillors J Clarke, J Legrys and N Smith.

Item A4, application number 19/00770/FUL

Councillors D Bigby, R Canny, D Everitt, D Harrison, J Legrys, N Smith and M B Wyatt.

Item A5, application number 19/01565/FUL

Councillors D Bigby, R Canny, D Everitt, J Legrys, N Smith and M B Wyatt.

Item A6, application number 19/00619/OUT

Councillors J Legrys and N Smith.

### **41. MINUTES**

Consideration was given to the minutes of the meeting held on 1 October 2019.

It was moved by Councillor N Smith, seconded by Councillor D Harrison and

RESOLVED THAT:

Chairman's initials

The minutes of the meeting held on 1 October be approved and signed by the Chairman as a correct record.

## 42. 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.

### 43. A1 17/01136/OUTM: EMPLOYMENT DEVELOPMENT INCORPORATING A MIX OF B1(C), B2 AND B8 USE INCLUDING NEW ACCESS ROADS, FOOTPATHS, CYCLEWAYS AND GREEN INFRASTRUCTURE (OUTLINE - ALL MATTERS OTHER THAN PART ACCESS RESERVED)

Land East Of Carnival Way Castle Donington Leicestershire  
**Officer's Recommendation: Refuse**

The Principal Planning Officer presented the report to Members.

Councillor B Sizer, on behalf of Castle Donington Parish Council addressed the committee. He highlighted that there were two parishes in objection to the application, that the site was outside the limits to development and lay within the area of separation therefore reducing the separation between Castle Donington and Hemington. He noted that there were other vacant employment units in the area along with very low unemployment levels in Castle Donington, the location would conflict with the relief road and that the increased HGV movements would breach the road's weight restrictions. He urged the committee to refuse the application.

Mr A Marshall, agent, addressed the committee highlighting that the application had been made on behalf of local businesses already in Castle Donington or that wanted to move to the area and could not find properties big enough, and that the site would ensure the retention of local jobs. He noted that the application was to be refused on one policy only and that not enough weight had been given to considering NPPF policies together. He urged Members to permit the application to support local business and ensure the low unemployment levels.

Councillor T Saffell, Ward Member addressed the committee highlighting that with the current employment sites that were being built in the northern parishes of the district and the low unemployment levels there was no requirement for the additional units. He felt that the area required more houses and urged Members to refuse that application.

In determining the application Members had noted that there was sufficient employment sites being developed in the area and that the site was outside the limits to development. They acknowledged clarification given by the Head of Planning and Infrastructure that the site was within the countryside rather than being within an area of separation designated within the Local Plan.

A motion to refuse the application in accordance with the officer's recommendation was moved by Councillor R Canny and seconded by Councillor J Legrys.

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

RESOLVED THAT:

Chairman's initials

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

| <b>Motion to refuse the application in accordance with the officer recommendation (Motion)</b> |     |
|------------------------------------------------------------------------------------------------|-----|
| Councillor Nigel Smith                                                                         | For |
| Councillor Russell Boam                                                                        | For |
| Councillor Rachel Canny                                                                        | For |
| Councillor John Clarke                                                                         | For |
| Councillor David Everitt                                                                       | For |
| Councillor Dan Harrison                                                                        | For |
| Councillor Jim Hault                                                                           | For |
| Councillor John Legrys                                                                         | For |
| Councillor Michael Wyatt                                                                       | For |
| Councillor Dave Bigby                                                                          | For |
| <b>Carried</b>                                                                                 |     |

44.

**A2**

**19/00344/VCI: VARIATION OF CONDITION 3 OF PLANNING PERMISSION  
17/00316/RET TO ALLOW FOR THE NUMBER OF GUESTS TO BE INCREASED TO  
40 AT ANY TIME AND TO REMOVE THE REQUIREMENT FOR THE ADDITIONAL  
SLEEPING ACCOMMODATION TO BE USED ONLY FOR HOLIDAY RENTALS IN  
CONJUNCTION WITH/ANCILLARY TO THOSE STAYING AT HIGHFIELDS MANOR**

Highfields Manor Rempstone Road Belton Loughborough Leicestershire LE12 9XA

**Officer's Recommendation: Permit**

The Chairman advised the committee that they would consider items A2 & A3 together but each item would be voted on separately.

The Senior Planning Officer presented the report to Members.

Mr D Bedford, objector, addressed the committee highlighting that his two concerns with the application were the increased noise levels and increased traffic should the application be approved. He advised that the existing conditions were ignored in relation to amplified music and that there was not enough signage for the site, which resulted in guests and deliveries arriving at his property. He requested that the existing conditions remained and that better signage was put up and amplified music was banned.

Ms K Davies, agent, addressed the committee highlighting that the applications before them were to vary existing conditions and that plans had been submitted to show the methods that were in place to protect the neighbours. She noted that there were no objections from the statutory consultees but the applicant would be happy to accept additional conditions in relation to additional signage and no music after 11pm.

In determining the applications, Members expressed sympathy for the concerns raised by the objector and noted that the applicant would accept the additional conditions. They acknowledged that the applications before them were to amend conditions following the approval of previous applications and felt that the condition in relation to amplified music would be better worded as amplified noise to cover all eventualities.

A motion to permit the application in accordance with the officer's recommendation subject to the inclusion of the additional conditions relating to additional signage and no amplified outdoor noise was moved by Councillor N Smith and seconded by Councillor J Hault.

Chairman's initials

The Chairman 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 and subject to the additional conditions relating to additional signage and no amplified outdoor noise.

| <b>Motion to permit the application in accordance with the officer recommendation and additional conditions as detailed in the minutes (Motion)</b> |         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| Councillor Nigel Smith                                                                                                                              | For     |
| Councillor Russell Boam                                                                                                                             | For     |
| Councillor Rachel Canny                                                                                                                             | For     |
| Councillor John Clarke                                                                                                                              | For     |
| Councillor David Everitt                                                                                                                            | For     |
| Councillor Dan Harrison                                                                                                                             | For     |
| Councillor Jim Hoults                                                                                                                               | For     |
| Councillor John Legrys                                                                                                                              | For     |
| Councillor Michael Wyatt                                                                                                                            | Against |
| Councillor Dave Bigby                                                                                                                               | For     |
| <b>Carried</b>                                                                                                                                      |         |

45.

**A3**

**19/00349/VCI: VARIATION OF CONDITION 2 OF PP 13/00792/FUL TO ALLOW FOR THE NUMBER OF GUESTS TO BE INCREASED TO 40 AT ANY TIME FOR NO MORE THAN 135 DAYS PER YEAR, NO MORE THAN 40 WEEKENDS A YEAR AND REMOVAL OF CONDITION 3 TO ALLOW FOR TWO HOLIDAY RENTAL GROUPS TO USE THE SITE AT ANY ONE TIME.**

Highfields Manor Rempstone Road Belton Loughborough Leicestershire LE12 9XA

**Officer's Recommendation: Permit**

A motion to permit the application in accordance with the officer's recommendation subject to the inclusion of the additional conditions relating to additional signage and no amplified outdoor noise was moved by Councillor N Smith and seconded by Councillor J Hoults.

The Chairman 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 and subject to the additional conditions relating to additional signage and no amplified outdoor noise.

| <b>Motion to permit the application in accordance with the officer recommendation and additional conditions as detailed in the minutes (Motion)</b> |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Councillor Nigel Smith                                                                                                                              | For |
| Councillor Russell Boam                                                                                                                             | For |
| Councillor Rachel Canny                                                                                                                             | For |
| Councillor John Clarke                                                                                                                              | For |
| Councillor David Everitt                                                                                                                            | For |
| Councillor Dan Harrison                                                                                                                             | For |
| Councillor Jim Hoults                                                                                                                               | For |
| Councillor John Legrys                                                                                                                              | For |

Chairman's initials

|                          |         |
|--------------------------|---------|
| Councillor Michael Wyatt | Against |
| Councillor Dave Bigby    | For     |
| <b>Carried</b>           |         |

46.

**A4**

**19/00770/FUL: CHANGE OF USE OF TATTOO SHOP TO AN A5 (HOT FOOD TAKEAWAY) USE, INSTALLATION OF FLUE TO REAR AND ALTERATIONS TO SHOP FRONT**

68 - 70 Belvoir Road Coalville Leicestershire LE67 3PP

**Officer's Recommendation: Permit**

Councillor N Smith drew Members' attention to the amended recommendation in the update sheet following a traffic incident on the road the previous weekend. He advised that deferring the application would allow for further consultation to take place with the County Highway Authority (CHA). The further consultation would allow an opportunity for the CHA to assess the information and to consider whether the road traffic accident affects its previous recommendation.

A motion to defer the application in accordance with the officer's recommendation was moved by Councillor J Legrys and seconded by Councillor J Clarke.

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

RESOLVED THAT:

The application be deferred in accordance with the recommendation of the Head of Planning and Infrastructure as detailed in the update sheet.

| <b>Motion to defer the application in accordance with the amended officer recommendation as detailed in the update sheet (Motion)</b> |     |
|---------------------------------------------------------------------------------------------------------------------------------------|-----|
| Councillor Nigel Smith                                                                                                                | For |
| Councillor Russell Boam                                                                                                               | For |
| Councillor Rachel Canny                                                                                                               | For |
| Councillor John Clarke                                                                                                                | For |
| Councillor David Everitt                                                                                                              | For |
| Councillor Dan Harrison                                                                                                               | For |
| Councillor Jim Hault                                                                                                                  | For |
| Councillor John Legrys                                                                                                                | For |
| Councillor Michael Wyatt                                                                                                              | For |
| Councillor Dave Bigby                                                                                                                 | For |
| <b>Carried</b>                                                                                                                        |     |

47.

**A5**

**19/01565/FUL: PROPOSED ADDITIONAL A5 USE (HOT FOOD TAKEAWAYS) TO EXISTING C1 AND A3 USE**

The Halfway House 128 Belvoir Road Coalville Leicestershire LE67 3PQ

**Officer's Recommendation: Permit**

Councillor N Smith drew Members' attention to the amended recommendation in the update sheet following a traffic incident on the road the previous weekend. He advised that deferring the application would allow for further consultation to take place with the County Highway Authority (CHA). The further consultation would allow an opportunity for the CHA to assess the information and to consider whether the road traffic accident affects its previous recommendation.

Chairman's initials

A motion to defer the application in accordance with the officer's recommendation was moved by Councillor N Smith and seconded by Councillor J Legrys.

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

RESOLVED THAT:

The application be deferred in accordance with the recommendation of the Head of Planning and Infrastructure as detailed in the update sheet.

| <b>Motion to defer the application in accordance with the amended officer recommendation as detailed in the update sheet (Motion)</b> |     |
|---------------------------------------------------------------------------------------------------------------------------------------|-----|
| Councillor Nigel Smith                                                                                                                | For |
| Councillor Russell Boam                                                                                                               | For |
| Councillor Rachel Canny                                                                                                               | For |
| Councillor John Clarke                                                                                                                | For |
| Councillor David Everitt                                                                                                              | For |
| Councillor Dan Harrison                                                                                                               | For |
| Councillor Jim Houl                                                                                                                   | For |
| Councillor John Legrys                                                                                                                | For |
| Councillor Michael Wyatt                                                                                                              | For |
| Councillor Dave Bigby                                                                                                                 | For |
| <b>Carried</b>                                                                                                                        |     |

48.

**A6**

**19/00619/OUT: DEMOLITION OF THE TWO NO DUTCH BARNs AND ERECTION OF ONE DWELLING AND SINGLE STOREY GARAGE WITH ANNEXE ACCOMMODATION (OUTLINE-ACCESS AND LAYOUT INCLUDED)**

Manor Farm Main Street Breedon On The Hill Derby DE73 8AN

**Officer's Recommendation: Permit**

Councillor N Smith drew Members' attention to the amended recommendation in the update sheet following concerns raised by objectors to the application and that deferring the application would allow officers time to consider them.

A motion to defer the application in accordance with the officer's recommendation was moved by Councillor N Smith and seconded by Councillor J Legrys.

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

RESOLVED THAT:

The application be deferred in accordance with the recommendation of the Head of Planning and Infrastructure as detailed in the update sheet.

| <b>Motion to defer the application in accordance with the amended officer recommendation as detailed in the update sheet (Motion)</b> |     |
|---------------------------------------------------------------------------------------------------------------------------------------|-----|
| Councillor Nigel Smith                                                                                                                | For |
| Councillor Russell Boam                                                                                                               | For |
| Councillor Rachel Canny                                                                                                               | For |
| Councillor John Clarke                                                                                                                | For |
| Councillor David Everitt                                                                                                              | For |
| Councillor Dan Harrison                                                                                                               | For |
| Councillor Jim Houl                                                                                                                   | For |

Chairman's initials

|                          |     |
|--------------------------|-----|
| Councillor John Legrys   | For |
| Councillor Michael Wyatt | For |
| Councillor Dave Bigby    | For |
| <b>Carried</b>           |     |

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 8.01 pm