

MINUTES of a meeting of the PLANNING COMMITTEE held in the Council Chamber, Council Offices, Coalville on TUESDAY, 8 JULY 2014

Present: Councillor D J Stevenson (Chairman)

Councillors R Adams, G A Allman, J Cotterill (Substitute for Councillor J Bridges), J G Coxon, D Everitt, T Gillard, J Houlst, D Howe, R Johnson, G Jones, J Legrys, T Neilson, N Smith, M Specht, R Woodward and M B Wyatt

In Attendance: Councillors J Geary, L Massey, T J Pendleton and L Spence

Officers: Mr S Bambrick, Mrs V Blane, Mr C Elston, Mrs H Exley, Mrs C Hammond, Mr J Knightley, Miss E Mattley and Mr J Mattley

11. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J Bridges.

12. DECLARATION OF INTERESTS

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

Councillor M B Wyatt declared a Disclosable Pecuniary interest in item A1, application number 13/00249/OUTM as a family member owned the land and he would leave the meeting during the consideration of the item.

Councillor T Neilson declared that he had been lobbied without influence in respect of item A2, application number 14/00309/FULM.

Councillor R Johnson declared that he had been lobbied without influence in respect of items A2, application number 14/00309/FULM and A3, application number 14/00133/FUL, and also declared a Disclosable Non-Pecuniary interest in item A4, application number 14/00311/VCI as he had been significantly involved in the application. He stated that he would leave the meeting during the consideration of the item.

Councillor R Adams declared that he had been lobbied without influence in respect of items A2, application number 14/00309/FULM, A3, application number 14/00133/FUL and A4, application number 14/00311/VCI.

Councillor J Legrys declared that he had been lobbied without influence in respect of items A1, 13/00249/OUTM, A2, application number 14/00309/FULM, A3, application number 14/00133/FUL, A4, application number 14/00311/VCI and A5, application number 14/00405/FUL.

Councillor J Cotterill declared that he had been lobbied without influence in respect of items A1, 13/00249/OUTM, A2, application number 14/00309/FULM, A3, application number 14/00133/FUL and A4, application number 14/00311/VCI.

Councillor M Specht declared that he had been lobbied without influence in respect of items A1, 13/00249/OUTM and A2, application number 14/00309/FULM, and also declared a Disclosable Non-Pecuniary interest in item A3, application number 14/00133/FUL as a Member of Coleorton Parish Council.

Councillor J G Coxon declared that he had been lobbied without influence in respect of item A2, application number 14/00309/FULM and also declared a Disclosable Non-Pecuniary interest in item A3, application number 14/00133/FUL as a Member of Ashby Town Council.

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Councillor J Hoult declared a Disclosable Non-Pecuniary interest in item A3, application number 14/00133/FUL as a Member of Ashby Town Council.

Councillor D J Stevenson declared that he had been lobbied without influence in respect of item A3, application number 14/00133/FUL.

13. MINUTES

Consideration was given to the minutes of the meeting held on 10 June 2014.

It was moved by Councillor G Jones, seconded by Councillor T Neilson and

RESOLVED THAT:

The minutes of the meeting held on 10 June 2014 be approved and signed as a correct record.

14. PLANNING APPLICATIONS AND OTHER MATTERS

Consideration was given to the report of the Director of Services, as amended by the update sheet circulated at the meeting.

The Chairman moved that item A6, application number 14/00320/FUL be deferred. It was seconded by Councillor J Legrys.

RESOLVED THAT:

Item A6, application number 14/00320/FUL be deferred to a later meeting.

Having declared a Disclosable Pecuniary interest in item A1, application number 13/00249/OUTM Councillor M B Wyatt left the meeting.

15. **13/00249/OUTM: EMPLOYMENT USES (B2/B8) OF UP TO 1,300,000 SQFT (120,773 SQM APPROX) WITH ASSOCIATED ANCILLARY USES AND ASSOCIATED INFRASTRUCTURE, INCLUDING A NEW ACCESS FROM BEVERIDGE LANE AND OFF-SITE HIGHWAY IMPROVEMENTS, EARTHWORKS AND GROUND MODELLING, TOGETHER WITH NEW LANDSCAPING, INCLUDING HABITAT CREATION AND PROVISION OF A NEW COMMUNITY WOODLAND PARK (OUTLINE - ALL MATTERS OTHER THAN PART ACCESS RESERVED)**

The Principal Planning Officer presented the report to Members.

Mr J Smalley, objector, addressed the Committee. He informed Members that the development would significantly increase issues with both traffic and noise. He stated that to access the site, vehicles would need to travel over a bridge that had a blind summit, at which there had been numerous accidents over the years. He added that the site would increase the number of vehicle movements by 800 per day. He informed Members that the noise measurement was expected to be around 38.8dB which would leave a very small margin for error. He urged the Committee to refuse the application.

Mr J Holmes, agent, addressed the Committee. He advised Members that Highways had withdrawn their objection to the application as they had worked closely to put right the outstanding issues. He informed Members that the applicant would provide nearly £2 million contribution to the overall transport fund and that the site would generate between 1300 and 1500 jobs. He stated that there was a major client looking to move to one of the

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units and they would ensure that the footpaths would be diverted. He urged the Committee to permit the application as the applicant was prepared to go as soon as possible.

Councillor R Johnson stated that he was sceptical of the application, as the Committee had approved a similar application across the road from the site back in January 2012 and were advised that the work would be carried out within 3 months and it still had not been developed.

Councillor J Legrys stated that he shared Councillor R Johnson's views and asked officers to outline to Members sites within a 2 mile radius that had been approved.

The Principal Planning Officer informed Members that the principal site in this part of the District with unimplemented permissions was the former South Leicester Disposal Point which was a site of 29 hectares and formed part of the current South East Coalville application site. The two permissions on the South Leicester Disposal Point were 07/01108/FUL (a full permission for 29,762 sqm of B8 floorspace) and 07/01112/OUT (an outline permission for 4,480 sqm of B2 floorspace and 17,920 sqm of B8 floorspace). The full permission expired in May 2015 and, in order to keep the outline planning permission extant, the reserved matters must be submitted by May 2015.

There was also a current (not yet determined) outline application (14/00069/OUTM) for B1, B2 and B8 development on a 6 hectare site at Beveridge Lane Bardon.

In terms of other vacant sites in this part of the District, there were two vacant plots on the Interlink industrial estate, a site of 2.3 hectares adjacent to the Volvo unit, and a site on Interlink Way South of 4.3 hectares (of which 1.9 hectares were in North West Leicestershire).

Councillor J Legrys thanked the officer for the information and stated that he felt the application was premature and that there were other sites in the area that would be better suited. He expressed concerns that there was no evidence that the applicant had got a client lined up and that the application would divert a valuable bus service from Broom Leys and Waterworks Roads. He stated that Parish Councillor Wakefield had done a lot of work and he was not convinced that the site would get developed.

Councillor G A Allman stated that the highways consultees had removed their objections and that the application would look at creating 1500 new jobs. He moved the officer's recommendation. This was seconded by Councillor G Jones.

Councillor G Jones added that with creating 1500 jobs the application ticked all the boxes.

Councillor M Specht stated that he had seen much development to this area over many years, but would see in the short term if the development would progress.

Councillor T Neilson stated that as there were no technical objections he would be supporting the application, as it was one site fit for use. He requested that should the application be permitted that as part of condition 9 it be requested that as much of the external lighting as possible be switched off at night.

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services.

Councillor M B Wyatt returned to the meeting.

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16. 14/00309/FULM: USE OF LAND FOR THE OPERATIONAL USE OF MILITARY AND CIVILIAN "OFF ROAD VEHICLES" (INCLUDING TANKS, ARMOURED FIGHTING VEHICLES, HEAVY DUTY VEHICLES AND OFF-ROAD 4X4'S) ALONG WITH PROVISION OF 3.0 METRE HIGH STRAW BUNDS (REVISED SCHEME)

The Planning and Development Team Manager presented the report to Members.

Dr O Mulka, objector, addressed the Committee. He advised Members that he had been a GP in Measham for 30 years (now retired) and that he was not against the creation of local jobs, but he had concerns over the noise that would be generated from the site. He reminded Members that the authority had objected in the past to the Minorca site and that TankMania would rob the residents of their peace and quiet at weekends. He expressed concerns over the committee report and the management plan and advised that residents had commissioned a noise expert to review the management plan and noise assessment. He highlighted that the residents of Bosworth Grange were elderly and the noise would have an impact on their health.

Mr D Rogers, applicant, addressed the Committee. He advised Members that a petition had been handed in containing 500 signatures in support of the application, with a further 22 still to be handed in. He informed Members that the business currently employed 7 full time staff, 6 of which lived in the Measham area and 8 part time, who were ex-servicemen. He added that the business was able to assist the ex-servicemen, adjust to civilian life, whilst working in a familiar environment. He advised Members that the business would help with the growth of the local community as visitors to the centre would visit local cafes and pubs before and after their visits. He added that they had recently attended the D-Day celebrations and had received and were receiving a lot of media coverage.

The motion to permit the application was moved by Councillor J G Coxon and seconded by Councillor G Jones.

Councillor D Everitt stated that it was about countryside diversity and that he was not interested in the arguments about noise. He added that the world was much quieter than the one he was born into and that noise, such as farm machinery, bird scarers and animal noises were acceptable. He went on to say that it was not much asking people to accept the activity as it was not a highly populated area. He felt it was a great asset to North West Leicestershire and expressed his support for the application.

In response to a question from Councillor R Woodward, the Planning and Development Team Manager advised Members that the opening times applied for were 10am to 6pm Monday to Friday, 10am to 4pm Saturdays and 10am to 4pm Sundays. No opening on Bank Holidays.

Councillor R Woodward moved that the opening times on Sunday be amended to 10am to 2pm. This was seconded by Councillor J Legrys.

Councillor G Jones expressed his support for the application and stated that it would increase the range of activities available in the District and would provide a local team building experience for local companies.

Councillor M Specht stated that it was common sense to permit the application as the Parish Council had no objections subject to there being no impact on the footpath.

Councillor J Legrys stated that the noise issues would be dealt with, but he had issues with the straw bale bungs as they would deteriorate after a few weeks. He expressed his

upset that an application was being brought to the Committee to create jobs in an area where residents objected to the noise.

Councillor T Gillard stated that he was all in favour of supporting the application as it was a local business.

The motion to permit the application in accordance with the officer's recommendation and amendment to the opening hours on Sundays was put to the vote and it was

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services and the amendment to the opening times on Sundays to 10am to 2pm.

17. 14/00133/FUL: ERECTION OF TWO NO. 250 KW WIND TURBINES AND ASSOCIATED INFRASTRUCTURE, INCLUDING ACCESS TRACK (RESUBMISSION OF PLANNING APPLICATION 13/00266/FUL)

The Senior Planning Officer presented the report to Members.

The Planning and Development Team Manager read out a letter of objection that had been received from Andrew Bridgen MP.

Mr M Akroyd, objector, addressed the Committee. He advised Members that he was speaking on behalf of the Farm Town Residents Committee and that their feelings were the same as before. He stated that the scale and height of the turbines would have a detrimental impact on the area, and that the noise and vibration would have a detrimental impact on residents health. He expressed concerns that the applicant had not met with residents and that the applicant had total disregard for them. He added that the turbines would not be beneficial or sensitive to the area and that the residents, Parish Council and the MP were all against the application.

Mr D Wheeler, supporter addressed the Committee. He advised that the nearest neighbour to the site was 830 metres away from the proposed site and that through consultation it had been agreed to make a financial contribution towards the repair of the boundary wall at St. Johns Chapel. He informed the Committee that the demand for all energy had tripled since the 1950s and that onshore wind turbines were more sustainable than the offshore ones. He added that the turbines had always been part of electricity plans as the population continued to rise.

Councillor T Neilson stated that the application would make a welcome contribution to the country's energy supply and that the turbines would not have a significant impact on the landscape and that sometimes the turbines could add character to the landscape. He reminded Members that the Lounge site had been permitted at appeal. He moved the officer's recommendation.

Councillor D Everitt seconded the recommendation. He stated that he welcomed the production of any natural power and that the Committee could contribute towards future generations. He added that wind turbines could be short lived as technology was constantly changing.

Councillor J Legrys stated that he was supporting the application and that the wind turbines would not have that much of an impact on the landscape. He expressed that he shared his colleagues' views on alternative energy and that he preferred turbines over the prospect of fracking.

Councillor G Jones stated that he was mindful of what had been said, however there had been a turbine installed in his ward and he had not received any complaints from residents over the noise. He added that he was pleased to see the contribution to the church and that it would be a local company installing the turbine.

Councillor M Specht stated that turbines were more meritable than pylons, however the turbines would still have an impact on the visual integrity of the National Forest. He added that the need for renewable energy did not trump local concern. He added that a different inspector had turned down an application for a wind turbine in Appleby Parva and moved that the application be refused on the grounds of policy E3, E4 and E7. This was seconded by Councillor J Cotterill.

Councillor J G Coxon expressed his support of the views of the locals, Ashby Town Council and Andrew Bridgen MP. He felt that the turbines would be visually intrusive and that the residents should not have to put up with them.

Councillor D J Stevenson stated that he did not like wind turbines, however he could not see how the Committee could refuse the application.

The motion to permit the application in accordance with the officer's recommendation was put to the vote and it was

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services.

Having declared a Disclosable Non-Pecuniary interest in the item, Councillor R Johnson left the meeting.

18. 14/00311/VCI: VARIATION OF CONDITION 5 OF PLANNING PERMISSION 2009/0624/07 IN ORDER TO ALLOW FOR AMENDED OPERATING TIMES

The Senior Planning Officer presented the report to Members.

Mr J Jordan, objector, addressed the Committee. He stated to Members that the school sports hall was not used by local residents and there had been many occasions when music was still being played at 8.30pm when the hall should close at 8pm. He advised Members that there was constant noise throughout the day as doors and windows were left open. He stated that the premises was a school not a leisure centre and there were plenty of leisure centres in the District that could be used. He raised concerns over the noise that would be generated if the times were extended every day of the week including Christmas Day. He urged the Committee to give the residents a respite at the weekend.

Ms M Adams, applicant, addressed the Committee. She advised Members that the school belonged to both the students and the community. She informed Members that it was non-profit organisation and relied on funding. She stated that the school aimed to increase the opportunities for fitness with the revised opening times and that other facilities within the school were open until 10pm. She advised Members that signs and CCTV had been installed to monitor the use of the site and that all users had to sign agreements to adhere to the terms of use and to be respectful of neighbours.

Councillor D J Stevenson asked Ms M Adams to confirm if the school or facilities opened on Christmas Day, she confirmed that it didn't.

Councillor D Everitt moved the officer's recommendations stating the facilities should be open to all. It was seconded by Councillor D Howe.

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Councillor J Legrys expressed that he shared the concerns of the residents over the noise and that through good work bridges could be built to keep neighbours on board. He felt that certain conditions had not been carried out though. He stated that if the application was permitted, the school needed to be rest assured that the site would be monitored more regularly. He advised Members that residents had to listen to bad language from the football matches and hope the comments had fired a warning shot across the school.

Councillor G Jones stated that he had had the pleasure of opening the 3G pitch during his year as Chairman and had been to tour the facilities. He felt that it was all very impressive and supported the officer's recommendation.

Councillor D Howe stated that he was near to the leisure centre in Whitwick that was open between 6.30am till 11.30pm and was proud to live near to such a facility.

RESOLVED THAT:

The application be permitted in accordance with the recommendations of the Director of Services.

Councillor R Johnson returned to the meeting.

19. 14/00405/FUL: ERECTION OF NINE RESIDENTIAL DWELLINGS

The Planning Officer presented the report to Members.

Councillor L Massey, Ward Member, addressed the Committee. She advised Members that a petition containing 41 signatures had been submitted in support of the development along with 6 letters of support, one from a resident who had been looking for a residence in Oakthorpe. She advised Members that the plans had been amended five times and included provision for 5 bungalows, which had been approved by the council's Urban Designer. She stated that as the development was between a farm and a garage it was not outside the limits to development and urged the Committee to permit the application.

Mr A Statham, on behalf of the applicant, addressed the Committee. He advised Members that the applicant had submitted the original application and was advised that it would be refused and therefore submitted four further sets of plans. He informed the Committee that there were no bungalows in Oakthorpe and that there was a need for new builds in the village. He reminded Members that locals supported the development and urged them to permit the application.

Councillor J Legrys moved that the application be permitted on the grounds that the development included affordable housing and bungalows, that it would fall in the remit of sustainability and that a footway would be provided. This was seconded by Councillor T Gillard.

Councillor R Woodward expressed that he would have been minded to vote against the application, however with local knowledge and local request for the development would support it. He did express concerns over plans being changed once submitted.

Councillor D Everitt stated that he was impressed with the local democracy of residents wanting the development.

Councillor G Jones sought clarification from officers that the footpath would be widened. The Planning Officer advised the Committee that it would be a condition of the permission.

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In response to a question from Councillor T Neilson, the Principal Planning Officer stated that if Members were minded to permit the application then an additional affordable unit could be requested.

Councillor D Howe advised that he had been minded to vote in favour of refusal, but having heard the speakers had changed his mind to support the application.

Councillor J G Coxon echoed Councillor D Howe's comments and sought clarification from officers that should they be minded to permit the application would this set a precedent in the future. The Director of Services advised Members that reasons for permitting the application would not necessarily relate to other applications.

Councillor D J Stevenson requested that a condition relating to the direction of any running water from the site be added. This was agreed by the mover and seconder.

RESOLVED THAT:

The application be permitted on the grounds that the development included affordable housing and bungalows, that it would fall in the remit of sustainability and that a footway would be provided, subject to a Section 106 Agreement and conditions required by the Director of Services.

20. 14/00320/FUL: ERECTION OF A DETACHED DWELLING (AMENDED SCHEME)

As the application was deferred earlier in the meeting it was not considered.

21. 14/00481/FUL: ERECTION OF A NEW AGRICULTURAL CATTLE BUILDING

The Planning and Development Team Manager presented the report to Members.

Councillor J Legrys expressed concerns that the sheds would block the views of the landscape. He felt that the cladding should be camouflaged to blend in with the landscape therefore being more sympathetic to the countryside. He moved an amendment to the recommendation for this to be included. It was seconded by Councillor R Adams.

Councillor D J Stevenson stated that being the Ward Member for the application, he had not received any complaints from locals over the existing sheds being an eyesore.

Councillor D Everitt felt that altering the appearance of the shed would make no difference and that in the future nature would take its course and naturally alter the look of the sheds.

Councillor R Johnson felt that the Committee should support the application and support British farmers.

The motion to amend the recommendation to include that the design of the cladding was such that it blended in with the landscape of the countryside was put to the vote and was LOST.

The officer's recommendation was moved by Councillor T Gillard, seconded by Councillor G Jones and it was

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services.

Chairman's initials

22. 14/00355/FUL: INSTALLATION OF SOLAR PV PANELS ON ROOF, INSTALLATION OF A BIO MASS BOILER WITH METAL FLUE AND FORMATION OF THERMAL STORE

The Planning and Development Team manager presented the report to Members.

The officer's recommendation was moved by Councillor J Legrys, seconded by Councillor J Hoult and it was

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services.

23. 14/00356/LBC: INSTALLATION OF SOLAR PV PANELS ON ROOF, INSTALLATION OF A BIOMASS BOILER WITH METAL FLUE, AND FORMATION OF THERMAL STORE

The Planning and Development Team manager presented the report to Members.

The officer's recommendation was moved by Councillor J Legrys, seconded by Councillor J Hoult and it was

RESOLVED THAT:

The application be permitted in accordance with the recommendation of the Director of Services.

The meeting commenced at 4.30 pm

The Chairman closed the meeting at 6.40 pm