

MINUTES of a meeting of the PLANNING Committee held in the Remote meeting using Microsoft Teams on THURSDAY, 3 September 2020

Present: Councillor N Smith (Chairman)

Councillors R Boam, D Bigby, A J Bridgen, R Canny, D Everitt, S Gillard, D Harrison, J Hoult, J Legrys and M B Wyatt

In Attendance: Councillors R Ashman and R Johnson

Officers: Mr C Elston, Mr J Mattley, Miss S Odedra, Mrs C Hammond, Mr T Delaney, Mr D Flower, Mr J Knightley, Miss E Mattley, Mrs M Scott, Ms D Wood and Ms D Woods

## **15. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **16. DECLARATION OF INTERESTS**

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

Councillor R Boam declared a pecuniary interest in item A2, application number 19/01419/FUL, as the landowner. He advised that he would speak in support of the application in his capacity as a landowner and once he had addressed the Committee, he would leave the meeting for the consideration of the item.

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 20/00726/REMM  
Councillors J Legrys and M B Wyatt

Item A2, application number 19/01419/FUL  
Councillors D Bigby, A Bridgen, R Canny, D Everitt, S Gillard, D Harrison, J Hoult, J Legrys and M B Wyatt.

## **17. MINUTES**

Consideration was given to the minutes of the meeting held on 4 August 2020.

It was moved by Councillor J Legrys and seconded by Councillor D Harrison and

RESOLVED THAT:

The minutes of the meeting held on 4 August 2020 be approved and signed by the Chairman as a correct record.

## **18. 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.

The Chairman advised those in attendance that he had agreed to change the order in which the applications would be considered therefore items A3 and A4 would be considered before A2.

Chairman's initials

## 19. A1

**20/00726/REMM: ERECTION OF 203 DWELLINGS WITH ASSOCIATED HIGHWAYS INFRASTRUCTURE AND PUBLIC OPEN SPACE (RESERVED MATTERS TO OUTLINE PLANNING PERMISSION REF. 13/00956/OUTM)**

Land South Of Grange Road Hugglescote Leicestershire LE67 2BT

**Officer's Recommendation: Permit**

The Principal Planning Officer presented the report to Members.

Mr A Kenny, the applicant, addressed the committee highlighting that the application was within the framework for the outline permission and that they had addressed all comments from the consultees. He noted that the affordable housing mix proposed would address the balance of over-provided 3 bed homes on the wider site and that by providing a proportion of bungalows Policy H6 was met. He advised that the development would achieve energy efficiency and that plans and documents had been submitted to address the response from County Highways.

Councillor R Johnson, Ward Member, addressed the committee highlighting concerns over the impact the development would have on the climate, potential flooding from the additional homes and that there was no air quality management plan in place. He felt that the play area for the site was not suitable and as local schools were full, questioned where the children from the development would attend. He expressed concerns over the travel plans that had been submitted as they outlined proposals that were not available in the area.

In determining the application, members expressed concerns over the provision of the play area on the site and the provision of other amenities. They questioned why the application had come before them with outstanding issues in relation to highways and further concerns were raised around the air quality in the area, in particular from the quarry. It was felt that the current development could not address the climate emergency that the Council had declared, that the travel plan was not complete and there were concerns in relation to flooding.

A motion to defer the application to allow further evidence and information to be provided by officers, to members, on the concerns and issues raised was moved by Councillor J Legrys and seconded by Councillor D Everitt.

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 to allow further evidence and information to be provided by officers, to members, on the concerns and issues raised

<b>Motion to defer the application to allow further evidence and information to be provided by officers on the concerns and issues raised (Motion)</b>	
Councillor Nigel Smith	Against
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor Alexander Bridgen	For
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor Stuart Gillard	For
Councillor Dan Harrison	For
Councillor Jim Hoults	For
Councillor John Legrys	For

Chairman's initials

Councillor Michael Wyatt	For
<b>Carried</b>	

20.

**A3**

**20/00362/FUL: CONTINUED USE OF CARAVAN SITE FOR A MIXTURE OF PERMANENT RESIDENTIAL ACCOMMODATION AND SHORT TERM HOLIDAY ACCOMMODATION**

Ashby Woulds Residential Park Spring Cottage Road Overseal Derby DE12 6ND

**Officer's Recommendation: Permit**

The Chairman advised that applications A3 and A4 would be presented and debated together but individual votes would be required on each application.

The Planning Officer presented the report to Members.

Mrs A Smith, objector, addressed the committee highlighting that the site had originally been marketed as a secure residential site for residents over 55 years of age and that since 2018 that applicant had been letting out some of the lodges on short term holiday lets which was contrary to the planning permission granted and the site operating licence. She noted continuing inappropriate behaviour and parking issues due to the holiday lets being occupied with multiple people bringing their own vehicles. She advised that the lets had little impact on the local economy and the retention of the outbuildings was supported, but the objection was to them being used as spa rooms.

A statement was read out to the committee on behalf of Councillor J Bridges, Ward Member, highlighting that the application would impact on the amenities of residents who resided on the site long term, and that the siting of the hot tubs to either the front or side of the holiday lets was unreasonable as it would encroach on the resident's homes. He reminded the committee of national and local policies around the enjoyment afforded within amenity space.

In determining the application, members felt that the application was contrary to policy D2 as it would impact on the amenities of the residents of the site and noted that there was no management on site to deal with any issues that came up. It was felt that holiday lets would be welcome to the area but not to the detriment of those living on the site. Members considered what, if any, conditions could be added to limit the activities and felt that further discussions should take place between all parties to come to a suitable agreement.

A motion to defer the application to allow discussions to take place between all the parties to come up with an acceptable proposal to be considered was moved by Councillor N Smith and seconded by Councillor D Harrison

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 to allow discussions to take place between all the parties to come up with an acceptable proposal to be considered.

<b>Motion to defer the application to allow discussions to take place between all the parties to come up with an acceptable proposal to be considered (Motion)</b>	
Councillor Nigel Smith	For
Councillor Russell Boam	For
Councillor Dave Bigby	Against
Councillor Alexander Bridgen	For
Councillor Rachel Canny	For

Chairman's initials

Councillor David Everitt	For
Councillor Stuart Gillard	For
Councillor Dan Harrison	For
Councillor Jim Hoults	For
Councillor John Legrys	For
Councillor Michael Wyatt	For
<b>Carried</b>	

21.

**A4****19/01255/FUL: RETENTION OF SEVEN OUTBUILDINGS**

Ashby Woulds Residential Park Spring Cottage Road Overseal Derby DE12 6ND

**Officer's Recommendation: Permit**

A motion to defer the application to allow discussions to take place between all the parties to come up with an acceptable proposal to be considered was moved by Councillor J Legrys and seconded by Councillor D Everitt.

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 to allow discussions to take place between all the parties to come up with an acceptable proposal to be considered.

<b>Motion to defer the application to allow discussions to take place between all the parties to come up with an acceptable proposal to be considered (Motion)</b>	
Councillor Nigel Smith	For
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor Alexander Bridgen	For
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor Stuart Gillard	For
Councillor Dan Harrison	For
Councillor Jim Hoults	For
Councillor John Legrys	For
Councillor Michael Wyatt	For
<b>Carried</b>	

22.

**A2****19/01419/FUL: ERECTION OF DETACHED DWELLING, DETACHED GARAGE AND ASSOCIATED INFRASTRUCTURE**

Land Adjacent To Oak Tree Stables School Lane Newbold Leicestershire LE67 8PF

**Officer's Recommendation: Refuse**

Having declared a pecuniary interest in the item Councillor R Boam stood down from the committee.

The Principal Planning Officer presented the report to Members

Mrs H Sission, objector, addressed the committee highlighting that the application was contrary to policies S2 and S3 of the Local Plan and that she already experienced issues with water run-off from the dwelling on the site and any additional dwelling would add to the problem. She felt that should the application be approved it would set a serious precedent for future applications.

Chairman's initials

Mr R Boam, in support, addressed the committee highlighting that there were inaccuracies in the report. He stated that the dwelling would be a self-build, the applicant had worked hard with officers on the application and the development would be sustainable and support the local community.

Councillor R Boam then left the meeting and took no further part in the consideration of the item or voting thereon.

In determining the application some members felt that the development could be seen as infill and one off dwellings would be sustainable for the village. It was noted that the development was contrary to the current Local Plan as the site lay outside the Limits to Development and would add to the current climate issues.

A motion to refuse the application in accordance with the officer's recommendation was moved by Councillor M B Wyatt 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 refused in accordance with the recommendation of the Head of Planning and Infrastructure.

<b>Motion to Refuse the application in accordance with the recommendation of the Head of Planning and Infrastructure (Motion)</b>	
Councillor Nigel Smith	For
Councillor Dave Bigby	For
Councillor Alexander Bridgen	Against
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor Stuart Gillard	Against
Councillor Dan Harrison	Against
Councillor Jim Hout	Against
Councillor John Legrys	For
Councillor Michael Wyatt	For
<b>Carried</b>	

## **23. PLANNING ENFORCEMENT UPDATE**

The Public Protection Team Leader presented the report to Members.

Most members welcomed and supported the report but expressed disappointment that officers from the team would not be attending future meetings to present the report. Some concerns were raised over performance of the service.

Members requested that officers from the service attended future meetings to present the reports.

It was moved by Councillor J Legrys, seconded by A Bridgen and

**RESOLVED THAT:**

Chairman's initials

1. The report be noted.
2. Pressure be put on management to ensure officers attend future meetings to present the reports.

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 8.14 pm