

MINUTES of a meeting of the PLANNING Committee held in the Council Chamber, Council Offices, Coalville on TUESDAY, 5 April 2022

Present: Councillor N Smith (Chairman)

Councillors R Boam, D Bigby, J Houlton, J Legrys, R L Morris, M B Wyatt and J Bridges (Substitute for Councillor J G Simmons)

In Attendance: Councillors K Merrie MBE, D Harrison, R Blunt and R Canny

Officers: Mr C Elston, Mr D Jones, Mrs C Hammond, Mr S Smith, Ms S Booth and Mr C Colvin

**64. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors D Everitt, S Gillard and J Simmons.

**65. DECLARATION OF INTERESTS**

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

Councillor J Bridges declared a non registerable interest in item A1, application number 20/01118/OUT, as he had been approached by his optician seeking advice on the application, in a personal capacity as a developer. He stated that he had advised his optician to discuss any matters with planning officers and had no further discussion on the application.

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 21/02107/FUL

Councillors D Bigby, R Boam, J Legrys and M B Wyatt.

Item A2, application number 20/01118/OUT

Councillors R Boam and M B Wyatt.

**66. MINUTES**

Consideration was given to the minutes of the meeting held on 5 March 2022.

It was moved by Councillor N Smith, seconded by Councillor R Boam and

RESOLVED THAT:

The minutes of the meeting held on 5 March 2022 be approved and signed by the Chairman as a correct record.

**67. 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.

Chairman's initials

68.

A1

**21/02107/FUL: THE ERECTION OF A DETACHED AGRICULTURAL BUILDING AND CHICKEN COOP AND THE PROVISION OF A TRACK AND HARDSTANDING**

Land East Side Of Austrey Lane Appleby Parva Leicestershire DE12 7AR

**Officer's Recommendation: Refuse**

The Senior Planning Officer presented the report to members.

Mr B Lees, objector, addressed the committee urging them to support the Planning Inspector and the previous committee's decisions and refuse the application. He highlighted that the application would have a detrimental visual impact on the countryside which outweighed the benefits of the development. He requested that additional notes be included in the refusal notice in relation unauthorised works ceasing and the submission of any future application that utilise the proposed access point would be unacceptable.

Councillor D Harrison, County Councillor, addressed the committee highlighting that the submitted application had had a negative impact on the residents of the village and the site had become untidy with building across the brook and constant burning of rubbish. He felt that the application had failed to meet any planning policies which had led to both the committee and Inspector refusing the previous application. He urged the committee to refuse the application once again.

Councillor R Blunt, Ward Member, addressed the committee highlighting that the committee's decision to overturn the original recommendation on the previous application had been supported by the Planning Inspector and that he was surprised to see a slightly amended application back. He noted that the site was in an elevated position and along with the drive and hardstanding would have a detrimental impact on area.

In determining the application members had regard to the fact that the application had only been amended slightly from the original application, therefore the proposed development would still have a detrimental overbearing impact on the countryside and surrounding area. The Planning and Development Team Manager advised that, should the application be refused and was lost at appeal again, the applicant could not submit another application for 2 years, that the additional notes from residents would not be required, as the concerns raised would be picked up by planning enforcement, such as looking at the untidy land; and that each application had to be considered on its own merit, therefore the authority could not stop the applicant from submitting further applications for a development significantly different to that now proposed..

The recommendation to refuse the application in accordance with the officer's recommendation, was moved by Councillor J Legrys and seconded by Councillor J Hoult.

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 officer's recommendation (Motion)</b>	
Councillor Nigel Smith	For
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor Jim Hoult	For
Councillor John Legrys	For
Councillor Ray Morris	For

Chairman's initials

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

- 69. A2**  
**20/01118/OUT: ERECTION OF ONE DETACHED DWELLING AND ASSOCIATED GARAGE (OUTLINE - DETAILS OF ACCESS INCLUDED)**  
 Land Adjacent To 37A Church Street Appleby Magna Swadlincote Derby DE12 7BB  
**Officer's Recommendation: Permit**

The Senior Planning Officer presented the report to members.

The recommendation to permit the application in accordance with the officer's recommendation, as amended by the update sheet, was moved by Councillor J Houlton and seconded by Councillor R Boam.

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, as amended by the update sheet.

<b>Motion to permit the application in accordance with the officers recommendation, as amended by the update sheet. (Motion)</b>	
Councillor Nigel Smith	For
Councillor Russell Boam	For
Councillor Dave Bigby	For
Councillor Jim Houlton	For
Councillor John Legrys	Against
Councillor Ray Morris	For
Councillor Michael Wyatt	Against
Councillor John Bridges	For
<b>Carried</b>	

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 6.38 pm