

MINUTES of a meeting of the PLANNING Committee held in the Council Chamber, Council Offices, Coalville on TUESDAY, 3 August 2021

Present: Councillor N Smith (Chairman)

Councillors D Bigby, S Gillard, J Hoult, J Legrys, K Merrie MBE, R L Morris, M B Wyatt and J Bridges (Substitute for Councillor R Boam)

In Attendance: Councillors R Johnson and R Canny

Officers: Mr C Elston, Mrs C Hammond, Mr J Knightley, Miss E Mattley, Ms S Grant, Mr J Arnold, Mrs M Scott and Mrs R Wallace

13. APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Boam and D Everitt.

14. DECLARATION OF INTERESTS

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

Councillor J Bridges declared a non-pecuniary interest in item 4 – Planning Enforcement Update Q1 2021/22, as he was in discussion with officers about a number of the cases within his ward that were listed in the report. He stated that he would take no part in the debate if the cases were mentioned.

Councillor K Merrie declared a non-pecuniary interest in items A1 and A2, application numbers 21/00613/REM and 21/00614/REMM, as the Leicestershire County Council Division Member for the site locations.

15. MINUTES

Consideration was given to the minutes of the meeting held on 6 July 2021.

It was moved by Councillor N Smith, seconded by Councillor J Legrys and

RESOLVED THAT:

The minutes of the meeting held on 6 July 2021 be approved and signed by the Chairman as a correct record.

16. PLANNING ENFORCEMENT UPDATE Q1 2021/22

The Public Protection Team Leader presented the report to members.

In response to a question from a member, the Public Protection Team Leader advised that she was satisfied that the team was adequately resourced to manage the workloads.

A discussion took place over the effectiveness of the team and it was noted that any complaints about the service should be logged with the Head of Service.

It was moved by Councillor J Bridges, seconded by Councillor J Hoult and

RESOLVED THAT:

The information contained within the report be noted.

Chairman's initials

17. 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.

18. A1

21/00613/REM: CONSTRUCTION OF VEHICULAR, PEDESTRIAN AND CYCLE ACCESS (LINK ROAD) (RESERVED MATTERS TO OUTLINE PLANNING PERMISSION REF. 13/00956/OUTM)

Land Off Grange Road Hugglescote Leicestershire LE67 2BT

Officer's Recommendation: Permit

The Principal Planning Officer presented the report to members.

Councillor R Johnson, ward member, addressed the committee highlighting that there was currently no application on the site for the road before them to link up with and, that the Hugglescote & Donington le Heath Neighbourhood plan would carry weight with policy ENV 6, which related to site allocations and development proposals being expected to safeguard and enhance biodiversity. He supported the recommendations of the County ecologist in relation to wild flower planting but expressed concerns in relation to the blocking off of the public right of way and safety for those who would use it, whilst works were being carried out. He also expressed concerns over the impact that the construction of the road would have on the diminishing wildlife in the area.

In determining the application, some members expressed concerns over the removal of trees on the application site and that the developer was not replacing them elsewhere. They also expressed concerns in relation to the closing of a public right of way whilst the works were carried out and sought reassurance that any HGVs would be properly routed and that any approved construction vehicle routeing would be enforced by the developer.

Members had regard to the fact that the construction work required was set out as part of the outline permission for the wider development, that an application had been submitted for the site the road would link up to subject to validation, that the woodland would remain either side of the road and that the embankments would be planted with wild flowers. It was also confirmed that the public right of way did not fall within the application site and, in response to a query from a member, it was confirmed that the existing informal permissive route along the railway was required to be made available on a permanent basis under the provisions of the conditions attached to the outline permission.

The recommendation to permit the application in accordance with the officer's recommendation was moved by Councillor J Hoult and seconded by Councillor R Morris.

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.

Motion to permit the application in accordance with the recommendation of the Head of Planning and Infrastructure (Motion)	
Councillor Nigel Smith	For
Councillor Dave Bigby	Against
Councillor Stuart Gillard	For
Councillor Jim Hoult	For
Councillor John Legrys	Against

Chairman's initials

Councillor Keith Merrie MBE	For
Councillor Ray Morris	For
Councillor Michael Wyatt	Against
Councillor John Bridges	Against
Carried	

19.

A2

21/00614/REMM: ERECTION OF 28 DWELLINGS (AMENDED HOUSE TYPES TO PLOT NOS. 5, 28, 30, 32, 39, 42, 44, 82, 90, 92, 99, 108, 129, 130, 131, 141, 150, 151, 152, 153, 155, 156, 157, 158, 190, 193, 194 AND 198) (RESERVED MATTERS TO OUTLINE PLANNING PERMISSION REF. 13/00956/OUTM)

Land South Of Grange Road Hugglescote Leicestershire LE67 2BT

Officer's Recommendation: PERMIT subject to S106 Agreement

The Principal Planning Officer presented the report to members.

Councillor R Johnson, ward member, addressed the committee highlighting that the housing type changes in the application did not comply with the Local Plan or the Hugglescote and Donington le Heath Neighbourhood Plan, as 3 bed dwellings would suit the local communities, enabling family units to stay close together. He outlined an appeal decision from June 2017 that related to housing mix and noted that the footings were already in place for a number of the plots, without the relevant permission. He urged the committee to refuse the application.

In determining the application, some members expressed strong concerns over the number of plots that would increase from 3 to 4 beds, as it was such a departure from the original application and that the developer had already started to put the footings in place for some of the proposed amended plots before they had been given permission.

Members were advised that there was case law clarifying that housing mix was not a reserved matter. They also noted that the original outline permission did not go into detail in relation to the housing mix on site, just the number of dwellings that was being proposed and that the suggestion that the developer had already started construction on the dwellings could not be taken into consideration when coming to a decision.

The recommendation to permit the application in accordance with the officer's recommendation was moved by Councillor J Hoult and seconded by Councillor S Gillard.

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.

Motion to permit the application in accordance with the recommendations of the Head of Planning and Infrastructure (Motion)	
Councillor Nigel Smith	For
Councillor Dave Bigby	Abstain
Councillor Stuart Gillard	For
Councillor Jim Hoult	For
Councillor John Legrys	Against
Councillor Keith Merrie MBE	For
Councillor Ray Morris	For
Councillor Michael Wyatt	Against
Councillor John Bridges	Abstain
Carried	

Chairman's initials

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.17 pm