

MINUTES of a meeting of the PLANNING Committee held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 30 November 2022

Present: Councillor R L Morris (Chairman)

Councillors R Boam, D Bigby, D Everitt, D Harrison, J Hoult, J Legrys, J G Simmons, M B Wyatt and K Merrie MBE

Officers: Mr C Elston, Mr D Jones, Mr S James, Ms R Haynes, Mrs R Wallace, Mr J Arnold, Mr A Mellor and Mr C Unwin-Williams

34. APOLOGIES FOR ABSENCE

Apologies were received from Councillor J Bridges for whom Councillor E Allman acted as substitute.

35. DECLARATION OF INTERESTS

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

Councillors R Morris and R Boam declared a non pecuniary interest in item A2.

Councillor M Wyatt declared a non pecuniary interest in item A2 as he had been in communication with the applicant over an unrelated matter as a member of the Coalville Special Expenses Working Party.

Councillor D Harrison declared a non pecuniary interest in item A1 as a member of Leicestershire County Council.

The following 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:

Councillor J Legrys on items A1 and A2.

Councillors J Hoult, J Simmons, D Bigby, E Allman on item A2.

36. MINUTES

Consideration was given to the minutes of the meeting held on 1 November 2022.

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

RESOLVED THAT:

The minutes of the meeting held on 1 November 2022 be approved and signed by the Chairman as a correct record.

37. 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

38. A1

22/01140/VCIM: ERECTION OF UP TO 400 DWELLINGS WITH ASSOCIATED ROADS AND SERVICE INFRASTRUCTURE, DRAINAGE PONDS, LANDSCAPING AND OPEN SPACES (OUTLINE- ALL MATTERS OTHER THAN PART ACCESS RESERVED) APPROVED UNDER PLANNING PERMISSION 16/01200/VCUM WITHOUT COMPLYING WITH CONDITION NUMBERS 4, 7, 9, 10, 15, 17, 27 AND 28, SO AS TO ALLOW FOR A MAXIMUM OF 150 DWELLINGS TO BE ACCESSED VIA HIGHFIELD STREET, AN AMENDED ACCESS DESIGN TO HIGHFIELD STREET, AMENDMENTS TO PROPOSED CULVERTS, NON-COMPLIANCE WITH THE CODE FOR SUSTAINABLE HOMES, AND REMOVAL OF THE REQUIREMENT TO SUBMIT A DESIGN CODE

Land North Of Standard Hill And West Of Highfield Street Hugglescote Coalville LE67 3BP

Officer's Recommendation: PERMIT, subject to a Section 106 agreement:

The Planning Officer presented the report and provided some background into the application, highlighting that the application in its current form sought to vary some conditions and remove others. It was noted that the most contentious issue was that of Condition 17, which restricted Highfield Street to only being serviced by 100 dwellings which was being varied to serve 150 dwellings.

Mr Thorley, Land and Planning Director of Jelson Ltd was invited to come forward and made his representations. The meeting was informed that the developers had sought to make a number of changes, to include the removal of the vehicle link between the two main parts of the site, which would protect the brook corridor. The developer had also offered parking spaces to most of the properties affected on Highfield Street in a bid to alleviate potential problems caused by on road parking and the associated traffic issues.

Councillor J Geary, ward member, made his representations and highlighted concerns around the extra traffic which would need to exit the site via Highfield Street. Councillor J Geary questioned the efficacy and accuracy of the traffic count and also noted the report's reference to "the narrow nature of Highfield Street". With regard to existing homes on Highfield Street which would be provided parking should the development be approved, it was asserted that this would be at a financial cost to residents which would not necessarily be possible for all given the current economic climate. Councillor J Geary suggested that this application be declined or deferred for further consideration.

Officers responded and clarified that in terms of transport work, previous survey data was considered and confirmed that this would have taken into account a period of time when road works were being carried out and the road was closed. The Planning and Development Team Manager clarified that the reserve matter scheme and access to the dwellings on the road frontage was not for consideration as part of this application.

A member enquired whether an adequate traffic count had been undertaken, whether this had been done correctly and if it had been considered by Leicestershire County Council. Officers confirmed that this was the case and that during traffic surveys, there had been no restrictions on the road. It was clarified that the traffic count had been from a 2018 report which had been updated using modelling technology.

A motion to permit the application in accordance with the officer's recommendation was moved by Councillor D Harrison 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.

Chairman's initials

RESOLVED THAT:

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

Motion to permit application in accordance with the officer recommendations (Motion)	
Councillor Ray Morris	For
Councillor Russell Boam	For
Councillor Dave Bigby	Against
Councillor David Everitt	Against
Councillor Dan Harrison	For
Councillor Jim Houlst	For
Councillor John Legrys	Against
Councillor Jenny Simmons	For
Councillor Michael Wyatt	Against
Councillor Elliott Allman	Against
Councillor Robert Ashman	No vote recorded
Councillor Keith Merrie MBE	No vote recorded
Councillor Ray Morris	For (Casting Vote)
Carried	

39.

A2

22/01126/OUT: ERECTION OF A BUILDING TO INCLUDE 1 NO. UNIT OF TOURIST ACCOMMODATION AND ANCILLARY USES AND THE ERECTION OF 3 NO. LODGES TO BE USED FOR TOURIST ACCOMMODATION (OUTLINE, ACCESS ONLY)

Roseville Outwoods Lane Coleorton Coalville Leicestershire LE67 8PA

Officer's Recommendation: PERMIT

As Councillors R Morris and R Boam had declared an interest in this item, nominations were made for Chair. Councillor E Allman was nominated as Chair, it was moved by Councillor R Boam and seconded by Councillor D Harrison. Councillors R Morris and R Boam stepped away from the committee.

Councillor R Ashman was called upon to join the committee in his capacity as substitute and noted that he had been lobbied on this item but had come to the meeting with an open mind.

The Senior Planning Officer presented the application, and outlined the proposal to erect four buildings for the purpose of tourist accommodation.

Mr C Jones, Chair of Worthington Parish Council, was invited to make his representations and voiced the support of the Parish Council for local residents who had opposed the plans. The "significant amount" of objections was noted and it was iterated that the development was outside the limits of development.

Mr C Jones asserted that the Parish Council and local residents who had objected, felt that this development would have an adverse impact in terms of invasion of privacy and the potential for noise nuisance and believed that there would be no benefit to the community or local businesses should the application be approved.

Mr S Haggart, objector, was invited to speak and wished to highlight that the proposed development would be in close proximity to neighbouring properties and as they would be at an elevated height, felt that this would encroach on the privacy of local homeowners, giving a direct view into their properties. It was also asserted that harm would be caused to the countryside.

Chairman's initials

Mr Haggart suggested that there would be no benefits to local businesses or the community and that the development did not require a countryside location, and should therefore not be permitted outside the limits of development.

Mr J Mattley, Agent, was invited to speak. Mr Mattley informed the committee that the development would be a high quality proposal and that there had been no other objections received from statutory consultees. He advised the committee that the Local Plan lists tourism accommodation as acceptable use within the countryside. Mr Mattley added that now proposals had been revised and the development would be situated at the rear of the site, this would render it barely visible to the surrounding area, that it would be a sustainable development and that Leicestershire County Council had found the proposal to be acceptable.

Councillor R Morris, Ward Member was invited to speak. Councillor Morris urged members to reject this application and argued that there had been an absence of topographical information, which would have indicated that the land is 4m above the surface level of the highway and would be 7m above the adjacent highway and neighbouring properties. It was suggested that the nature of holiday lodges would lead to parties, barbecues and hot tubs, all of which could potentially cause a noise nuisance to local residents. Members were reminded of a meeting earlier in 2022 which had dealt with the problems faced by residential properties being interspersed with holiday lets, causing distress to permanent residents. Councillor Morris also suggested that should the development be approved, it would cause harm to the character of the rural appearance of the site and surrounding area.

Officers responded that it would be permissible to allow development outside of development limits in some circumstances, and also refuted claims that it would not be a "tourist area", reminding the meeting that this site is situated within the National Forest, a recognised tourist location.

Officers reminded the committee that all schemes do not have to meet all three strands of sustainable development.

A member enquired as to why limits to development are set but then development is permitted within this. Officers responded that the Local Plan allows for developments to be sited outside of development limits, for example should they be for agricultural or tourism purposes.

A member raised concerns that such a development as had been proposed would not be suitable amongst residential homes.

A member enquired that if the committee were to vote against this application what types of consideration would constitute strong, potential grounds for refusal but officers advised it would be for members to decide upon the reasons for which they felt it would be unacceptable.

A number of reasons for refusal were discussed, which included limits to development, light and noise pollution and waste removal or vehicular access, however officers advised that these would not be sufficient grounds for refusal.

Most members agreed that the location and consequent detrimental visual impact of the proposed development, would be strong objections as per the previous reason for refusal.

A motion to refuse the application on the grounds stated above was made by Councillor J Hault 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 on the grounds that the proposal would be detrimental to the character and rural appearance of the area and would represent an unwarranted and incongruous intrusion into the countryside.

Motion to refuse on the grounds of visual impact and location (Motion)	
Councillor Ray Morris	No vote recorded
Councillor Russell Boam	No vote recorded
Councillor Dave Bigby	For
Councillor David Everitt	For
Councillor Dan Harrison	For
Councillor Jim Hault	For
Councillor John Legrys	For
Councillor Jenny Simmons	For
Councillor Michael Wyatt	For
Councillor Elliott Allman	For
Councillor Robert Ashman	Against
Councillor Keith Merrie MBE	No vote recorded
Carried	

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.25 pm