

MINUTES of a meeting of the PLANNING Committee held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on WEDNESDAY, 10 July 2024

Present: Councillor R Boam (Chair)

Councillors R L Morris, D Bigby, M Burke, D Everitt, J Legrys, P Moulton, J G Simmons, N Smith, M B Wyatt (Substitute for Councillor R Canny) and D Cooper (Substitute for Councillor C A Sewell)

Officers: Mr C Elston, Mr D Jones, Mr S James, Mr A Mellor and Mrs R Wallace

7. APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Canny and C Sewell.

8. DECLARATION OF INTERESTS

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

Councillors D Bigby and D Cooper declared a registerable interest in item A1 – application number 23/01153/FULM, as Ashby Town Councillors.

During discussion on item A1 – application number 23/01153/FULM, Councillor N Smith declared a Disclosable Pecuniary Interest as the owner of a business in Ashby Town Centre. He left the meeting at that point and did not take part in any further discussion or voting thereon.

Members declared that they had been lobbied without influence in respect of the following application but had come to the meeting with an open mind.

Item A1 – application number 23/01153/FULM: Councillors R Boam, D Bigby, D Cooper, D Everitt, J Legrys, R Morris, P Moulton and N Smith.

9. MINUTES

Consideration was given to the minutes of the meeting held on 4 June 2024.

It was moved by Councillor R Morris, seconded by Councillor J Simmons and

RESOLVED THAT:

The minutes of the meeting held on 4 June 2024 be approved and signed by the Chair as a correct record.

10. 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.

Chair's initials

11. 23/01153/FULM: ERECTION OF NEW LIDL FOODSTORE (USE CLASS E) WITH CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS

Ashfield House, Resolution Road, Ashby De La Zouch

Officers recommendation: Permit subject to conditions and the securing of a Section 106 Agreement.

The Principal Planning officer presented the report to Members.

As the application had been previously considered and deferred by the Committee on 4 June 2024, in accordance with the guidance, there were no speakers.

In determining the application Members discussed the possible impact on an already congested highway infrastructure and some Members were not happy with the limited highway mitigation proposals from the applicant and supported by Leicestershire County Council Highways. It was also suggested that a full highway assessment be undertaken rather than relying on assumptions. Further discussion was had on the suitability of the site and some Members felt that alternative sites should be properly investigated as the sequential test undertaken by the applicant was not adequately applied. Following further debate on alternative sites, the Planning and Development Team Manager reminded Members that it was not the Planning authority's responsibility to look for alternative sites and advised the Committee to only consider the application in front of them.

Members had a further debate on highway impact, and several declared they would not support the application. The Head of Planning and Infrastructure confirmed that extensive discussions with the Highway Authority had been undertaken and they had no objections, therefore a refusal on highway grounds would be difficult to defend at appeal. In response to a member comment about the content of the report, the Head of Planning and Infrastructure advised the Committee that he felt the report was well balanced and a proper assessment of all the issues had been fully carried out.

During discussions both for and against the proposals, Members referred to the possible affect the development would have on the nearby town centre and the potential loss of business. At this point, Councillor N Smith declared a disclosable pecuniary interest as a business owner in Ashby Town Centre, and left the meeting for the remainder of the item and did not take part in any further discussions or voting thereon.

The officer's recommendation to permit the application was moved by Councillor R Morris and seconded by Councillor R Boam.

The Chair put the motion to the vote. A recorded vote being required, the voting was as detailed below.

The result of the vote was tied, therefore in accordance with the Council's Constitution, the Chair exercised his second and casting vote.

RESOLVED THAT:

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

Chair's initials

Motion to permit the application in accordance with the officer's recommendations (Motion)	
Councillor Russell Boam	For
Councillor Ray Morris	For
Councillor Dave Bigby	Against
Councillor Morgan Burke	For
Councillor David Everitt	Against
Councillor John Legrys	Against
Councillor Peter Moulton	Against
Councillor Jenny Simmons	For
Councillor Nigel Smith	No vote recorded
Councillor Michael Wyatt	For
Councillor Doug Cooper	Against
Councillor Russell Boam	For (Casting Vote)
Carried	

Councillor N Smith left the meeting at 6.35pm.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 6.38 pm