

MINUTES of a meeting of the PLANNING Committee held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 12 November 2024

Present: Councillor R Boam (Chair)

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

Officers: Ms J Davies, Mr C Elston, Mr A Mellor and Mrs R Wallace

## **28. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor D Bigby.

## **29. DECLARATION OF INTERESTS**

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 23/01277/OUTM: All members of the Committee.

## **30. MINUTES**

Consideration was given to the minutes of the meeting held on 1 October 2024.

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

RESOLVED THAT:

The minutes of the meeting held on 1 October 2024 be approved and signed by the Chairman as a correct record.

## **31. 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.

## **32. A1 23/01277/OUTM DEMOLITION OF NOS. 137 AND 139 CHURCH LANE AND THE REDEVELOPMENT OF THE SITE TO PROVIDE 13 DWELLINGS WITH ASSOCIATED WORKS (OUTLINE, MEANS OF ACCESS, LAYOUT AND SCALE FOR APPROVAL)**

137 and 139 Church Lane, Whitwick, Coalville, Leicestershire, LE67 5DP

**Officer's Recommendation:** Permit subject to Section 106 Agreement

The Principal Planning Officer presented the report.

Mr P Hopkins, objector, addressed the Committee. He listed his concerns including lack of consultation with residents by the applicant, the number of protected trees on the site affected by the proposals, the effect on wildlife and the risk to children posed by the planned balancing pond. He felt that the positioning of several plots would overlook his property and block out natural light. In relation to highways, Mr Hopkins expressed his disappointment that the traffic assessment was undertaken during the school holidays which meant it was not a true representation of normal traffic movement. Members were urged to refuse the application.

Chair's initials

Mr J Owen, agent, addressed the Committee. Members were informed that the applicant had co-operated with council officers throughout the process and made many amendments in recent months to address concerns including fewer plots and changes to landscaping. The concerns of residents were acknowledged but it was highlighted that the proposal met minimum requirements for the site, the separation between plots was in excess of the minimum distances in the Council's adopted Good Design Guide and many assessments had been undertaken by the Highway Authority. The need for housing in the district was raised and the Committee were assured that if approved, a high standard would be achieved both in design and layout.

County Councillor T Gillard, County Council Ward Member, addressed the Committee. Concerns were listed including increase in traffic and parking on Church Lane, detrimental impact on boundary trees, access to the site by refuse vehicles and an inaccurate traffic assessment due to the time of the year it was undertaken. He referenced Planning Policy D1 in relation to impact on local amenities and urged Members to refuse the application.

Councillor A Barker, Ward Member, addressed the Committee. He listed his concerns including removal of trees, loss of amenities, dangerous risk of the proposed pond, loss of two adequate family homes, inaccurate traffic assessment, increase in problematic on-street parking and poor design. It was felt that the ecology surveys were carried out at a suboptimal time of year and the development would cause a reduction in biodiversity net gain. Members were urged to refuse the application.

Before the committee entered a discussion, Councillor P Moulton moved that the application be deferred to allow the Highway Authority to undertake a further automatic traffic count due to concerns that the previous assessment did not represent the normal traffic flow in the area. It was seconded by Councillor R Boam.

Before moving to the vote, the Principal Planning Officer outlined to Members that the primary purpose of the Automatic Traffic Count was to ascertain the speed of vehicles on Church Lane which would then inform the dimensions of the visibility splays at the proposed site access. The Highway Authority did not have concerns with the timing of the Automatic Traffic Count given that less on-street parking on Church Lane would likely increase vehicle speeds and thereby increase the visibility splays. The Highway Authority also did not consider that the vehicular movements associated with 13 dwellings would have a significant impact on the highway network. The Principal Planning Officer also outlined to Members that for the application to be refused on highway grounds, the impact to the highway network would need to be severe in line with Paragraph 115 of the National Planning Policy Framework.

The Legal Advisor confirmed that should the application be deferred; Members would be able to have a full debate when the application returned to the Committee as they had reserved their rights to speak. The speakers would also be able to speak again, however they would not be able to speak on matters already raised at this meeting.

The Chair 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 the applicant, in conjunction with the Highway Authority, to undertake a further automatic traffic count in school term time that represented the normal traffic flow in the area.

Chair's initials

<b>Motion to defer the application (Motion)</b>	
Councillor Russell Boam	For
Councillor Ray Morris	For
Councillor Doug Cooper	For
Councillor Morgan Burke	For
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor John Legrys	For
Councillor Peter Mout	For
Councillor Carol Sewell	For
Councillor Jenny Simmons	For
Councillor Nigel Smith	For
<b>Carried</b>	

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 6.32 pm