

MINUTES of a meeting of the PLANNING Committee held in the Forest Room, Stenson House, London Road, Coalville, LE67 3FN on WEDNESDAY, 12 March 2025

Present: Councillor R Boam (Chair)

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

In Attendance: Councillors T Eynon

Officers: Mr C Elston, Mrs C Hammond, Ms J Davies and Ms S Booth

38. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J Simmons.

39. DECLARATION OF INTERESTS

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

Councillor R Blunt declared a registerable interest in item A3, 24/00574/OUT as the site was owned by a family member, and declared an other interest in item A4, 24/01294/FUL as a close acquaintance of the applicant. Councillor R Blunt would leave the meeting for consideration and voting on both applications.

Councillor R Morris, declared a registerable interest in item A3, 24/00574/OUT as he was speaking in objection to the application as a Ward Member and he would leave during the consideration and voting on the application.

Councillor R Morris also declared an other interest in item A1, 23/01712/FULM as he had been conducting ward member work on behalf of Councillor N Rushton during his absence.

Councillor N Smith declared an other interest in item A4, Item A4 – 24/01294/FUL, as the Ward Member and close acquaintance of the applicant. Councillor N Smith would leave the meeting for consideration and voting on the application.

Councillor J Legrys declared that he had been lobbied without influence in respect of item A2, 24/01503/FUL but had come to the meeting with an open mind.

40. MINUTES

Consideration was given to the minutes of the meeting held on 14 January 2025.

It was moved by Councillor Legrys, seconded by Councillor Moulton and

RESOLVED THAT:

The minutes of the meeting held on 14 January 2025 be approved and signed by the Chair as a correct record.

41. 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

42. A1
23/01712/FULM: THE CONSTRUCTION AND OPERATION OF A GROUND MOUNTED SOLAR FARM WITH A GENERATION CAPACITY OF 7.15MW TOGETHER WITH ACCESS, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE

Donington Park Service Area, Junction 23A, Ashby Road, Castle Donington

Officer's Recommendation: Permit

The Chair referred to the revised officer recommendation as detailed within the update sheet as circulated at the meeting.

As the recommendation was to defer, there was no discussion.

The officer's recommendation as detailed in the Update sheet was moved by Councillor J Legrys and seconded by Councillor R Morris.

The Chair put the motion to the vote.

RESOLVED THAT:

The application be deferred to enable the applicant an appropriate opportunity to respond to matters raised by Members of the committee at the technical briefing.

43. A2
24/01503/FUL: CHANGE OF USE FROM DWELLING HOUSE (C3) TO CHILDRENS HOME (C2) FOR UP TO THREE CHILDREN

2 Frearson Road, Hugglescote, Coalville

Officer's Recommendation: Permit

The Senior Planning Officer presented the report.

Ms N Hassell, objector, addressed the Committee. As the owner of the neighbouring property, she expressed concerns relating to parking, traffic and highway safety. It was noted that on street parking on Frearson Road was already full to capacity during weekday mornings and weekends, and the proposed application with unrestricted parking would exacerbate the problem and contribute further to the congestion on the roads. In reference to the proposed parking arrangements, concerns were made that the driveway to the property was very narrow and therefore users would be required to step onto the neighbouring property. Also, the tandem parking proposal would lead to constant manoeuvring of vehicles. It was commented that along with the already restricted visibility along the street, which was a highway safety risk, the property was located on the narrowest part of the estate, and an increase in number of vehicles would only worsen the obstruction for emergency services access. To conclude, reference was made to a recent traffic accident involving a child and the proposals added to the highway concerns for the area. Members were urged to refuse the application.

Mr S Salt, agent, addressed the Committee. Details of the proposal were highlighted, and Members were informed that the property was selected due to its location in proximity to a range of facilities and services that can be used by the children and the care team. The need for the facility was stressed along with the importance of the need to operate as close as possible to a typical family home. It was noted that staff handovers would be conducted outside of peak hours, therefore that was also when vehicle movements would be. Members were reminded that there were no Highway Authority objections and

Chair's initials

conditions were included to restrict the number of staff and children. Members were urged to support the application.

Councillor T Eynon, Ward Member, addressed the Committee. It was felt that the application was uniquely sensitive compared to similar applications due to the petition and number of objections received, some of which detailed concerns of the welfare of the children. Although there were no Highway Authority objections, residents disagreed and felt that highway safety was a concern due to the congestion in the area. Members were asked to reflect on several material planning considerations relating to parking provision, vehicle movements and the fact it was not a straightforward resident dwelling. Members were asked that if minded to permit the application, then mitigations for the concerns raised be considered.

In determining the application, the concerns of residents were acknowledged and were shared by some Members, however it was noted that there had been no objections from the Highway Authority and some concerns were unfortunately not planning considerations. Some concerns were raised in relation to the proposed location, as the bus service had been withdrawn some time ago and the fact it was a business operating in a residential area.

Following a discussion relating to similar applications, during which concerns were reiterated, the Legal Advisor referred to a recent decision taken by the Planning Inspector for a similar application at a neighbouring authority, in which it was deemed that there was insufficient evidence that proved the proposed use would likely result in greater levels of noise, disturbance and vehicle movements than the existing authorised use. Members were also reminded that the application in front of them was for a change of use, and considerations should be whether the proposal was materially different from what the property was built for.

Although Members were reminded about the Highway Authority opinion, some felt that local knowledge was important and should be considered.

Following concerns raised regarding the parking allocation, the Head of Planning and Infrastructure referred to the proposed note to applicants as detailed within the update sheet and confirmed that they would be included should the application be approved.

The officer's recommendation was moved by Councillor R Canny and seconded by Councillor D Everitt.

The Chair 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 officer's recommendations.

At this point the Chair announced a slight change in the order of the agenda, the next item considered would be item A4 followed by item A3.

Motion to Permit in accordance with officer's recommendations (Motion)	
Councillor Russell Boam	For
Councillor Ray Morris	For
Councillor Dave Bigby	For
Councillor Richard Blunt	For
Councillor Morgan Burke	For
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor John Legrys	Against
Councillor Peter Moulton	For
Councillor Carol Sewell	For
Councillor Nigel Smith	For
Carried	

44. A4
24/01294/FUL: ERECTION OF THREE DETACHED DWELLINGS AND THREE DOUBLE GARAGES (ONE ATTACHED AND TWO DETACHED) WITH ASSOCIATED ACCESS, LANDSCAPING AND DRAINAGE

Land at Drum and Monkey Lane, Packington, Leicestershire

Officer's Recommendation: Permit subject to S106 Agreement

Having declared an interest in the item, Councillors R Blunt and N Smith left the meeting at this point and did not take part in the discussion or voting, they did not return to the meeting.

The Senior Planning Officer presented the report.

Ms V Webster, representative of the Parish Council, addressed the Committee. Members were urged to refuse the application for the following reasons: exacerbation of the current flooding issues, highway safety due to vehicles regularly travelling along the road at highspeed and poor visibility due to on street parking. Concerns were raised regarding pedestrian safety due to the narrow lane which was well used by walkers. Members were referred to National Planning Policy Framework 110, as in her opinion the development failed to create a safe place that minimised the scope of the conflict between pedestrians, cyclists and vehicles.

Ms C Baker, objector, addressed the Committee. It was reported that the area regularly flooded which affected homes and gardens as well as the roads, a total of three months of the previous year was impacted by flooding. It was felt that the proposals would only worsen the problem. Reference was made to a similar application on a neighbouring site that was refused due to the lack of access to the main highway. A cumulative number of anomalies for the proposals was listed which had not yet been resolved, therefore Members were urged to refuse the application.

Mr M Daubney, agent, addressed the Committee. He reminded Members that this was a renewal application that had been previously permitted, and no changes had been made to the layout or design. The site was within the limits to development, and it was a modest proposal that was in keeping with the area. It was highlighted that there would be no adverse effect on highways and there were no flooding objections from the Local Flood Authority. It was concluded that it was an appropriate development opportunity which would make a positive contribution to the delivery of housing in the District.

The Planning and Development Team Manager addressed the matters raised by the speakers

Chair's initials

In determining the application, a full debate was had regarding the flooding concerns, and it was acknowledged that the matter needed to be addressed at a national level, however, it was also recognised that it would be difficult to refuse on flooding grounds due to no objections from the statutory authority, plus the application had no fundamental changes from when it was previously permitted.

Some further concerns were shared regarding the proposals for waste bin storage as it was felt it was inappropriate for the area.

The officer's recommendation was moved by Councillor R Morris and seconded by Councillor R Canny.

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

RESOLVED THAT:

The application be permitted subject to Section 106 Agreements in accordance with the officer's recommendations.

Motion to permit in accordance with officer's recommendations (Motion)	
Councillor Russell Boam	For
Councillor Ray Morris	For
Councillor Dave Bigby	For
Councillor Richard Blunt	Conflict Of Interests
Councillor Morgan Burke	For
Councillor Rachel Canny	For
Councillor David Everitt	For
Councillor John Legrys	Against
Councillor Peter Moul	For
Councillor Carol Sewell	For
Councillor Nigel Smith	Conflict Of Interests
Carried	

**45. A3
24/00574/OUT: ERECTION OF 1 NO. SELF BUILD DWELLING (OUTLINE - ACCESS AND LAYOUT ONLY)**

Land adjoining 20 Worthington Lane, Breedon on the Hill

Officer's Recommendation: Permit subject to S106 Agreement

Having declared an interest in the item, Councillor R Morris removed himself from the meeting to join the public gallery prior to being invited to speak as Ward Member.

The Planning and Development Team Manager presented the report.

Mr D Pitt, objector, addressed the Committee. He informed Members of his highway experience, and it was his opinion that the proposed access to the development did not meet the required safety standards regarding visibility splays as set out by the Highway Authority. Concerns were also raised regarding the speed limit at the point of access. Members were urged to refuse the application.

Mrs C Large, applicant, addressed the Committee. The objections received as detailed in the report were addressed, in particular highway safety, which the applicant had worked hard with officers to meet all necessary requirements. It was noted that there were no objections from statutory consultees and approval of the application in this sustainable

Chair's initials

area would contribute to the district's shortfall of self-build dwellings. Members were urged to approve the application.

Councillor R Morris, Ward Member, addressed the Committee. He listed his concerns including highway safety, proposed access, loss of amenities and privacy, harm to the character and setting of the village and the break of access. He felt that on this occasion the Highway Authority had made an error and not assessed the application thoroughly. He urged Members to refuse the application on the grounds of highway safety, loss of amenity and design and layout.

After addressing the Committee, Councillor R Morris left the meeting during the consideration and voting on the application. He did not return to the meeting.

In response to a question from the Chair, the Head of Planning and Infrastructure confirmed that a condition could be added to ensure a single storey property only, and as this had already been offered by the applicant, it was deemed as acceptable.

In determining the application, consideration was given to the location of the site being on the edge of the limits to development and some Members were uncomfortable with permitting development that would likely be refused if not for it being a self-build dwelling.

Discussion was had on the layout and design of the dwelling and the negative impact of a two-storey building was acknowledged. The overall opinion was that a single storey dwelling with a buffer of landscaping was preferable. The Planning and Development Team Manager suggested that should the application be permitted; a condition could be added to require details of planting to be submitted to provide a suitable landscaping buffer with the reserve matters application.

Further concerns were raised regarding highway safety and the visibility splays, as it was felt that due to the trees, visibility could not be met. Discussion was had on the appropriateness of the application for the village.

The officer's recommendation with the added conditions regarding the scale of the dwelling and the landscaping buffer was moved by Councillor R Canny and seconded by Councillor M Burke.

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

The motion was LOST.

Members were then asked for an alternative motion.

It was moved by Councillor D Bigby and seconded by Councillor J Legrys that the application be refused on the grounds of it being outside the limits to development, the visual impact, not fitting with the character of the surrounding area and visibility splay not adequate for the nature of the rural location.

The Head of Planning and Infrastructure advised Members on the reasons for refusal given and that an unmet need for self-build development could override Policy S3 of the Local in relation to being outside the limits to development. Members were also reminded that the Highway Authority had not submitted any objections. Therefore, the reasons for refusals given would be difficult to defend should the application be refused and an appeal submitted.

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

Chair's initials

RESOLVED THAT:

The application be refused on the grounds that it was outside the limits to development, visual impact, not fitting with the character of the surrounding area and visibility splay not being adequate for the nature of the rural location.

Motion to premit in accordance with officer's recommendations with added conditions regarding scale and landscaping buffer (Motion)	
Councillor Russell Boam	For
Councillor Ray Morris	Conflict Of Interests
Councillor Dave Bigby	Against
Councillor Richard Blunt	Conflict Of Interests
Councillor Morgan Burke	For
Councillor Rachel Canny	For
Councillor David Everitt	Against
Councillor John Legrys	Against
Councillor Peter Moulton	Against
Councillor Carol Sewell	Against
Councillor Nigel Smith	No vote recorded – left the meeting
Rejected	
Motion to refuse (Motion)	
Councillor Russell Boam	Abstain
Councillor Ray Morris	Conflict Of Interests
Councillor Dave Bigby	For
Councillor Richard Blunt	Conflict Of Interests
Councillor Morgan Burke	Against
Councillor Rachel Canny	Against
Councillor David Everitt	For
Councillor John Legrys	For
Councillor Peter Moulton	For
Councillor Carol Sewell	For
Councillor Nigel Smith	No vote recorded – left the meeting
Carried	

The meeting commenced at 6.00 pm

Councillors R Blunt and N Smith left the meeting at 7.00pm

Councillor R Morris left the meeting at 7.41pm

The Chairman closed the meeting at 7.57 pm