

**PLANS COMMITTEE
7TH DECEMBER 2017**

PRESENT: The Chair (Councillor Slater)
The Vice-chair (Councillor Forrest)
Councillors Bebbington, Bentley, Campsall, Fryer, Gaskell,
Gerrard, Grimley, C. Harris, Jones, Seaton and Snartt

Head of Planning and Regeneration
Group Leader Development Management
Principal Planning Officer (KB)
Principal Planning Officer (GD)
Principal Planning Officer (AT)
Principal Solicitor (KH)
Environmental Protection Manager (BG)
Democratic Services Officer (MH)

APOLOGIES: Councillors Lowe and Tillotson

The Chair reminded members of the public and the Committee that the meeting was being recorded and that the recording would be made available on the Council's website.

25. MINUTES

The minutes of the meeting of the Committee held on 9th November 2017 were confirmed as a correct record and signed.

26. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

No questions were submitted.

27. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

The following disclosures were made:

- (i) by Councillor Bentley – a personal interest in application P/17/1758/2 as the application site was occupied by his neighbouring farmer. He had not had any contact with his neighbour over the last two and a half years and considered that he had an open mind;
- (ii) by Councillor Fryer – a disclosure under the Planning Code of Good Practice that she was one of the Borough Councillors who had called-in application P/171473/2 and that she would be speaking in her capacity as a ward councillor on the item;
- (iii) by Councillor C. Harris – a personal interest in application P/16/1229/2 as she knew one of the speakers. They had previously worked together but they had not spoken for a number of years;

- (iv) by Councillor Slater – a personal interest leading to bias in application P/16/1229/2 as he had a conflict of interest relating to both the developer and the objector;
- (v) by Councillor Snartt – a disclosure under the Planning Code of Good Practice that he would be speaking on behalf the ward councillor, Councillor Taylor, on application P/17/1898/2. He would also be making some comments of his own that Councillor Taylor had agreed could be included;
- (vi) by Councillor Snartt – a personal interest in application P/17/1473/2 as he knew the objector. He stated that he had not spoken to her about the application. The Chair stated that a number of members of the Committee were in a similar position.

The Chair stated that members of the Committee had been sent correspondence from the applicant in respect of application P/17/0942/2. Members of the Committee confirmed that they had either not read the correspondence or retained an open mind.

28. PLANNING APPLICATIONS

Reports of the Head of Planning and Regeneration, setting out applications for planning permission, were submitted (items 1 to 9 in the appendix to the agenda filed with these minutes). Additional Items reports in respect of applications P/17/1578/2, P/15/0047/2, P/17/1898/2, P/16/2141/2 and P/17/0942/2 were also submitted (also filed with these minutes).

The following clarification was provided at the meeting:

- (i) in respect of the proposed Section 106 Agreement for application P/17/1578/2 (Peashill Farm, Ratcliffe Road, Sileby), set out on page 1 of the Additional Items report, a contribution of £103,000 towards healthcare unless it was provided on site should have been included in the proposed amendment to Recommendation A, and the library contribution should have stated 'a contribution of £5,130 towards Sileby Library';
- (ii) in respect of the proposed housing mix for application P/17/1898/2 (Land off Cropston Road, Anstey), set out in Table 1 on page C2 of the report, the Total column was incorrect but the totals could be calculated by adding the numbers of market and affordable house types set out in the table. Furthermore, there was a typographical error in the affordable housing percentages detailed in the Housing Mix table on page C11 of the report in that the percentage of 2-bed affordable homes should read 50% (and not 20%).

The Committee agreed that a speaker, who had made her request to speak shortly after the deadline for doing so had passed, should be permitted to speak. Therefore, in accordance with the procedure for public speaking at meetings, the following objectors, applicants and representatives of parish/town councils attended the meeting and expressed their views:

- (i) Ms Katherine Hack (objector), Ms Lizzie Marjoram (on behalf of the applicant) and Mr Andrew Thomas (on behalf of Sileby Parish Council) in respect of application P/17/1578/2;
- (ii) Mr Philip Crawley and Ms Avril Hardwick (objectors), Mr Guy Longley (on behalf of the applicant) and Mr Andrew Thomas (on behalf of Sileby Parish Council) in respect of application P/15/0047/2;
- (iii) Ms Megan Pirt (objector) and Mr Shane Hackett (on behalf of the applicant) in respect of application P/16/1229/2;
- (iv) Mr Richard Huteson (on behalf of the applicant) in respect of application P/16/2141/2;
- (v) Mr Robin Williams (on behalf of the applicant) in respect of application P/17/0942/2;
- (vi) Ms Judith Spence (objector) in respect of application P/17/1473/2;
- (vii) Ms Verity Munden (objector), Mr Andrew Duncombe (applicant) and Mr Edward Guest (on behalf of Thrussington Parish Council) in respect of application P/17/1543/2.

The Committee agreed that Borough Councillors, who had made requests to speak on behalf of ward councillors who were not able to, should be permitted to speak. Therefore, in accordance with the procedure for Borough Councillors speaking at Plans Committee meetings, the following Councillors attended the meeting and expressed their views:

- (i) Councillor Poland (speaking on behalf of Councillor Murphy and Councillor Paling) in respect of application P/17/1543/2;
- (ii) Councillor Paling in respect of applications P/15/0047/2;
- (iii) Councillor Snartt (speaking on behalf of Councillor Taylor) in respect of application P/17/1898/2;
- (iv) Councillor Shepherd in respect of application P/16/1229/2;
- (v) Councillor Fryer in respect of application P/17/1473/2.

In respect of item 1 (application P/17/1578/2, Peashill Farm, Ratcliffe Road, Sileby) a motion to grant planning permission subject to the amendments to the proposed Section 106 Agreement referred to above and an amendment to condition 3 to require that 50% of the bungalows should be of one storey was proposed. The motion was defeated. A further motion to defer consideration of the application until such time as officers had received details of alternative highway mitigation proposals that the Highway Authority considered would be acceptable was also proposed. The motion was defeated.

Having made a disclosure under the Planning Code of Good Practice, Councillor Snartt withdrew from the Committee table for item 3 (application P/17/1898/2, Land off Cropston Road, Anstey).

Having disclosed a personal interest leading to bias, Councillor Slater left the meeting for item 4 (application P/16/1229/2, Wishbone Lane, Mountsorrel).

The Vice-chair, Councillor Forrest, chaired the meeting for the consideration of the item.

In respect of item 4 (application P/16/1229/2, Wishbone Lane, Mountsorrel) an amendment was moved to alter condition 8 so that the additional car parking referred to should be provided prior to the occupation of the second dwelling rather than the eighth. The amendment was defeated.

Having made a disclosure under the Planning Code of Good Practice, Councillor Fryer withdrew from the Committee table for item 7 (application P/17/1473/2, The Long House, Land at 33 High Street, Barrow Upon Soar).

RESOLVED

1. that, in respect of application P/17/1578/2 (Barwood Development Securities Ltd, Peashill Farm, Ratcliffe Road, Sileby), planning permission be refused, contrary to the recommendation of the Head of Planning and Regeneration, for the following reason:

In the absence of a proposed mitigation option that the Highway Authority considers to be acceptable, ie one that takes account of the physical environment, mainly the lack of visibility due to the church wall and the narrow footways at the Mountsorrel Lane/Barrow Road Junction, and due to the impact of traffic on minor rural roads having regard to policy TR17 of the Charnwood Borough Local Plan;

2. that, in respect of application P/15/0047/2 (Hallam Land Management and Trustees of the Skertchly Trust, Land east of Seagrave Road, Sileby), the Planning Inspectorate be informed that the local planning authority would be minded to refuse the planning application, contrary to the recommendation of the Head of Planning and Regeneration, for the following reasons:

The general thrust of both local and national policy is to support sustainable development and of development that would promote the health and well-being of communities. Policy CS 1 of the adopted Charnwood Local plan 2011 to 2028 Core Strategy relates to the hierarchy of sustainability of settlements in the Borough as locations for new development. The application site lies outside the limits to development of Sileby, which is identified by Policy CS 1 as being in the 'Service Centre' category of its settlement hierarchy. The supporting text to the Policy confirms that there are commitments for around 3,500 homes in Services Centre's which is sufficient to the meet the levels of planned provision and therefore we only expect to see small scale windfall developments within the settlement boundaries. Greenfield locations may be appropriate where there is a recognised local housing need and insufficient capacity within built up areas to meet that need. The proposal is not small scale, within the settlement boundary and neither has a local housing need been

demonstrated. As such, the proposal is considered to be contrary to Core Strategy Policies CS 1 and CS 25, which both seek to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. Furthermore it is contrary to Policies CT/1 and CT/2 of the Adopted Borough of Charnwood Local Plan 1991-2006 and no material considerations have been advanced that warrant setting aside the provisions of the Development Plan;

The impact of odour and noise from the nearby poultry farm would detrimentally affect the amenity of residents of the proposed development contrary to Core Strategy Policy CS2;

3. that, in respect of application P/17/1898/2 (Bloor Homes Ltd, Cynthia Spence and Nicholas Wells, Land off Cropston Road, Anstey), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration;
4. that, in respect of application P/16/1229/2 (Black Hawk Ltd, Wishbone Lane, Mountsorrel), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration and to the following amendment to condition 3 to read as follows:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), (or any order revoking and re-enacting that Order, with or without modifications), no enlargement, improvement or other alteration (including additional windows and conversion of garages) of the dwellings shall be carried out;

5. that, in respect of application P/16/2141/2 (Lidl UK GmbH and Tillbridge Developments LLP, North of Station Avenue, Loughborough):
 - A. authority be given to the Head of Planning and Regeneration and the Head of Strategic Support to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure improvements, on terms to be finalised by the parties, as set out below:
 - to provide a sum of £66,500 to cover highway improvements in the vicinity;
 - B. subject to the completion of the legal agreement referred to in resolution 5A above, planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration and to the following amendments to conditions 2 and 20 to read as follows:

2. The proposed development shall be carried out only in accordance with the following plans:

- 7305L 17 F Proposed Site Plan
- 7501L 16 B Proposed Elevations
- 7305L 15 B Proposed Floor Plan
- SCP/16212/D04 B Proposed Highway Improvements;

20. The store shall not exceed 1,331 sqm (net) and 2,239 sqm (gross external floor area) and of this no more than 258 sqm (net) shall be used for comparison retail;

6. that, in respect of application P/17/0942/2 (ALDI Stores Limited, Land at Allendale Road, Loughborough), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration;
7. that, in respect of application P/17/1473/2 (Charnwood Brewery LLP, 33 High Street, Barrow-upon-Soar), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration;
8. that, in respect of application P/17/1543/2 (Mr Andrew Duncombe, 25 Rearsby Road, Thrussington):
 - A. planning permission be granted subject to the conditions and reasons set out in the report of the Head of Planning and Regeneration;
 - B. to ensure that members of the Committee are made aware of the effectiveness of the proposed mitigation measures in a timely manner, information be provided to members of the Committee regarding the implementation of condition 1 and measurements of the effectiveness of the sound proof boarding once it is installed;
9. that, in respect of application P/17/2072/2 (Mr Adams, 39 Greengate Lane, Birstall), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 22nd January 2018 unless notice to that effect is given to the Democratic Services Manager by five councillors by noon on 5th January 2018.

2. These minutes are subject to confirmation as a correct record at the next meeting of the Plans Committee.