

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD AT THE
COUNCIL OFFICES, STATION ROAD, WIGSTON ON THURSDAY, 24 AUGUST 2017
COMMENCING AT 7.00 PM**

PRESENT

Councillor L A Bentley (Chair)
Councillor Mrs L M Broadley (Vice Chair)

COUNCILLORS

G A Boulter
F S Broadley
R E Fahey
D A Gamble
J Kaufman
Mrs H E Loydall

OFFICERS IN ATTENDANCE

S J Ball (Senior Democratic Services Officer / Legal Officer)
D Gill (Legal Advisor)
R Redford (Planning Control Team Leader)
S Robshaw (Planning Control Enforcement Officer)

OTHERS IN ATTENDANCE

Councillor M H Charlesworth (Ward Councillor, Speaker)
A Smith (Public Speaker)

14. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors D M Carter, B Dave and R E R Morris.

15. DECLARATIONS OF INTEREST

None.

16. READING, CONFIRMATION AND SIGNING OF MINUTES

16a. MINUTES OF THE PREVIOUS MEETING HELD ON 15 JUNE 2017

In respect of application no. 17/00084/FUL (Nautical William, Aylestone Lane, Wigston, Leicestershire, LE18 1BA) at minute reference 8 (at page 5, para 2) it was requested that 'public speaker' be corrected to 'Ward Councillor'.

RESOLVED THAT:

The minutes of the previous meeting of the Committee held on 15 June 2017 be taken as read, confirmed and signed (as amended).

16b. MINUTES OF THE PREVIOUS MEETING HELD ON 20 JULY 2017

RESOLVED THAT:

The minutes of the previous meeting of the Committee held on 20 July 2017 be taken as read, confirmed and signed.

17. ACTION LIST ARISING FROM THE MEETING HELD ON 20 JULY 2017

The Committee was advised that the adoption of the Technical Housing Standards (Nationally Described Space Standard) was a matter for inclusion in the emerging Local Plan only and, therefore, could not be realised as a stand-alone policy. It was requested that Members were to be consulted before the completion of the final draft of the Local Plan and that the Committee was to be kept informed periodically as to its progress.

It was moved by Councillor Boulter, seconded by Councillor Mrs H E Loydall and

UNANIMOUSLY RESOLVED THAT:

- (i) The Action List be noted by Members; and**
- (ii) An update report on the adoption of the Technical Housing Standards be brought back to the next meeting of the Committee.**

18. PETITIONS AND DEPUTATIONS

None.

19. REPORT OF THE PLANNING CONTROL TEAM LEADER

19a. APPLICATION NO. 17/00285/FUL - 16 WELLHOUSE CLOSE, WIGSTON, LEICESTERSHIRE, LE18 2RQ

Mr A Smith, an adjacent neighbour, spoke upon the application. He stated that the development exceeded the permitted 3 metres and was of an extremely poor standard of workmanship. The scale of the development was said to limit his access and ability to maintain his property and boundary and restricted the passage of light. The fumes from the chimney were also perceived to amount to a nuisance. He also cited concerns vis-à-vis the disregard for building control and due planning process.

Councillor M H Charlesworth spoke upon the application as Ward Councillor for the Wigston All Saints Ward. He relayed similar concerns in respect of the development's impact upon the neighbouring dwelling. He opined that irregularities had been committed by the privately-contracted building inspector, the application demonstrated a patent disregard for planning process and was frustrated in that the Council as a local planning authority had little authority to intervene or regularise.

The Committee gave consideration to the application (at pages 16 - 22) as jointly-delivered and summarised by the Planning Control Team Leader and Enforcement Officer which should be read together with these minutes as a composite document.

A debate thereon was had whereby it was agreed that the extension, by virtue of its projection beyond 3 metres in depth, resulted in it having a scale and bulk that was unacceptably overbearing upon the neighbouring dwelling contrary to the provisions of Core Strategy Policy H14 and Saved Local Plan Policy L1 which sought to ensure that, amongst other things, developments are sympathetic to their surroundings as well as contributing positively to the environment by way of design, scale and form.

In reaching a decision the Committee was advised that, if it was minded to refuse planning

permission, the only possible course of regulatory action was to require the extension to be reduced in depth by 0.5 meters in accordance with permitted development rights. It was advised that local planning authorities were only empowered to intervene in building control matters when a complaint is received from an applicant alleging substandard levels of work carried out by private-sector contractors and that, in this instance, no such complaint had been received.

Members expressed their dissatisfaction with the Council's limited oversight and regulatory powers over the quality of private-sector involvement in building control.

It was moved by Councillor J Kaufman, seconded by Councillor Mrs H E Loydall and

UNANIMOUSLY RESOLVED THAT:

The application be REFUSED planning permission for the foregoing reasons.

19b. APPLICATION NO. 17/00343/FUL - 126 AYLESTONE LANE, WIGSTON, LEICESTERSHIRE, LE18 1BA

The Committee gave consideration to the application (at pages 23 - 29) and the agenda update (at pages 1 - 4) as delivered and summarised by the Planning Control Team Leader which should be read together with these minutes as a composite document.

Councillor Mrs H E Loydall stated that her written representation made upon the application on 07 August as a Ward Councillor (at pages 1 -2 of the agenda update) sought to highlight possible implications and did not amount to a pre-determination.

A debate thereon was had whereby concerns were reiterated that the application's proposed conversion of self-contained flats represented another affront to the retention of dwelling-houses for family use for which, and in the absence of any policy at the present time, Members acknowledged could not be properly refused planning permission. Other additional concerns were also raised in relation to the inadequate levels of living-space and amenity and limited vehicle parking and manoeuvrability potentially endangering highway and pedestrian safety.

In reaching a decision the Committee was advised that, if it was minded to refuse planning permission or unduly defer the application, the costs of any successful appeal lodged by the applicant may be awarded against the Council and, or, risked a claim of maladministration for deferral on non-substantive and unreasonable grounds.

It was moved by Councillor G A Boulter, seconded by the Chair and

RESOLVED THAT:

A condition be added requiring a scheme detailing the surface treatment for the parking area and sustainable drainage provisions for the site to be submitted and approved.

Votes For	4
Votes Against	1
Abstentions	3

It was moved by the Chair, seconded by Councillor D A Gamble and

RESOLVED THAT:

The application be GRANTED planning permission in accordance with the submitted documents and plans and subject to the prescribed conditions (as amended).

Votes For	4
Votes Against	0
Abstentions	4

THE MEETING CLOSED AT 8.33 PM



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Chair
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Thursday, 28 September 2017
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