

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD AT THE
COUNCIL OFFICES, STATION ROAD, WIGSTON ON THURSDAY, 26 JULY 2018
COMMENCING AT 7.00 PM**

PRESENT

Councillor L A Bentley (Chair)

COUNCILLORS

G A Boulter
F S Broadley
B Dave
D A Gamble
Dr T K Khong
Mrs H E Loydall
R E R Morris

OFFICERS IN ATTENDANCE

S J Ball (Senior Democratic Services Officer / Legal Officer)
D M Gill (Head of Law & Governance / Monitoring Officer)
R Redford (Planning Control Team Leader)

OTHERS IN ATTENDANCE

M Chenery (Public Speaker)
T Coleman (Public Speaker)
N Hardy (Spokesperson, Speaker)

14. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors Mrs L M Broadley, D M Carter, J Kaufman and Mrs L Kaufman.

15. DECLARATIONS OF INTEREST

None.

16. MINUTES OF THE PREVIOUS MEETING HELD ON 28 JUNE 2018

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting of the Committee held on 28 June 2018 be taken as read, confirmed and signed.

17. PETITIONS AND DEPUTATIONS

None.

18. REPORT OF THE PLANNING CONTROL TEAM LEADER

**18a. APPLICATION NO. 18/00191/FUL - 39 WHITEOAKS ROAD, OADBY,
LEICESTERSHIRE, LE2 5YL**

Mr T Coleman spoke upon the application as an objector. A copy of the objector's representations is filed together with these minutes at **Annex A**.

The Committee gave consideration to the report (at pages 5 - 12) as delivered and summarised by the Planning Control Team Leader which should be read together with these minutes as a composite document. It was reported that an updated petition objecting to the application had been received with additional signatories.

A debate thereon was had whereby Members acknowledged that the application was open to a subjective interpretation in terms of its perceived appearance within the existing street-scene by virtue of the fact that the existing dwelling occupied a corner plot on both sides of Whiteoaks Road and Glenway. Whilst most Members considered that the existing dwelling was defined by its address at Whiteoaks Road, and therefore ought to be seen as part of that street scene context, comprising of one-story dwelling, it was accepted that, in the absence of any specific planning policy restricting the conversion of bungalows, any refusal on the grounds of it being "out of character" alone would not be sufficiently robust to challenge on any appeal.

In reaching its decision, the Committee was advised that given the duality of the two street scene contexts and the unique corner plot siting, if Members were minded to grant permission, a precedent in favour of bungalow conversions along Whiteoaks Road would not be established. In view of other concerns having been raised by Members, the Committee was also advised that, in order to soften the visual bulk of the proposed development, an additional landscaping condition could be attached.

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

UNANIMOUSLY RESOLVED THAT:

An additional condition be attached requiring a detailed scheme of landscaping and measures for the protection of trees to be retained during the course of development to be submitted to and approved prior to the commencement of development.

It was moved by the Chair, seconded by Councillor R E R Morris 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	6
Votes Against	1
Abstentions	1

18b. APPLICATION NO. 18/00230/REM - HM YOUNG OFFENDERS INSTITUTE GLEN PARVA, TIGERS ROAD, WIGSTON, LEICESTERSHIRE, LE18 4TN

Mr N Hardy, spokesperson for the Ministry of Justice, spoke upon the application on behalf of the applicant. A copy of the spokesperson's representations is filed together with these minutes at **Annex B**.

Mr M Chenery spoke upon the application on behalf of those residents living in the immediate private-estate adjacent to the application site as an objector. A copy of the

objector's representations is filed together with these minutes at **Annex C**.

The Committee gave consideration to the report (at pages 13 - 25) as delivered and summarised by the Planning Control Team Leader which should be read together with these minutes as a composite document. It was reported that two additional letters of representation objecting to the application had been received citing similar concerns as those already summarised within the body of the report (as page 17).

A debate thereon was had whereby Members emphasised that their primary duty was to safeguard the amenity and wellbeing of those affected residents as far as it was within their power to do so. In particular, the Committee stated that the treatment along the site's eastern boundary required: a wall of suitable design and material to effectively and securely separate the application and neighbouring sites; the internal planting of mature trees to provide an immediate visual-acoustic barrier; and arrangements in place for the ongoing maintenance of other soft landscaping features. In relation to the site's external lighting and CCTV arrangements, it requested that Ward Members be consulted on the same prior to their approval.

In reaching its decision, the Committee was assured that conditions 6 and 7 of the original outline permission would be properly discharged by Officers, with the benefit of their professional-technical aptitude, to ensure that the interests of the site's security and the residential and visual amenity of the area would be fully met and protected. Members were advised that any proposed CCTV coverage onto private-residential property would not be complaint with the recently-implemented General Data Protection Regulation (GDPR). In respect of the various requests made by the objector, the Committee was advised that the majority of the matters referred to were not capable of being conditioned or acted upon insofar as they either fell outside the scope of the defined application site or the Council's general remit of responsibility.

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

UNANIMOUSLY RESOLVED THAT:

- (i) The conditions (as set out in the report) be discharged; and**
- (ii) The additional condition and informatives (as set out in the report) be attached.**

THE MEETING CLOSED AT 8.26 PM



Chair

Thursday, 30 August 2018

*Printed and published by Democratic Services, Oadby and Wigston Borough Council
Council Offices, Station Road, Wigston, Leicestershire, LE18 2DR*

(This page is intentionally left blank)

Application No. 18/00191/FUL
39 Whiteoaks Road, Oadby, Leicestershire, LE2 5YL

Objector's Representations - Mr T Coleman

I am of the opinion that this extension should NOT go ahead as proposed by adding a second storey.

I and my family are probably the residents of Whiteoaks Rd who have been there the longest having bought our 3 bedroom Bungalow in 1962, during this time we decided to extend the accommodation (having 3 children) to include an upper floor with a ridged roof at right angles to our main ridge roof and above our current flat roof, this application was turned down and we settled to extend only at ground level.

The reason given for the refusal was that such an extension would detract from the current low level attractive aspect of Whiteoaks Rd. and could lead to similar piecemeal changes in the road.

As with this application it would certainly have set a precedent for any future second storey applications along Whiteoaks Rd. which as with this current case will be difficult to refuse should this application go ahead.

On a broader scale there is development of 170 houses to be built beyond Whiteoaks Rd with access via the A6, no bungalows are included because these it seems are uneconomical for the builder, and I believe this is also applicable to other developments in the area including Newton Lane and Cooks Lane.

Yet there is a need for bungalows, for various disabled and elderly people to whom a staircase is a hazard or even impossibility and we are aging population which suggests that as no more bungalows appear to be being built the demand for them is going to rise. So I see no reason why the Council would allow a perfectly sound 3 bed bungalow to be converted into property with a second storey and stairs.

(This page is intentionally left blank)

Application No. 18/00230/REM

HM Young Offenders Institute Glen Parva, Tigers Road, Wigston, Leicestershire, LE18 4TN

Spokesperson's Representations - Mr N Hardy (Ministry of Justice)

When I spoke to this Committee in June 2017 it was in support of the Outline Application for redevelopment of the site. The Outline Application was supported by a Masterplan which showed how the Ministry of Justice (MoJ) thought the site might be developed.

However, the external appearance of all of the buildings, the layout of the site, and landscaping were reserved for later approval. Since then: the design of the buildings has changed with a focus on ensuring the best possible relationship between new buildings and existing housing; the zoning of uses, and the location of staff and visitor parking, hasn't changed, but the detailed siting of buildings has, to be sensitive to uses across boundaries; opportunities for landscaping have been maximised; and all of these things have been presented in the Reserved Matters Applications.

Two of the Reserved Matters were approved at the Outline stage. The first was the scale of the development, or the maximum amount of floorspace allowed, and the maximum height of buildings. The second was means of access to the site - and the outline permissions granted by Blaby District and this Council confirm that: (a) the only access during construction and when operational will be from Tigers Road; and (b) there will be no access whatsoever (vehicular or pedestrian) from Crete Avenue.

Planning process meant that we submitted identical outline applications to both Councils - and requires that we submit identical Reserved Matters Applications to both Councils.

However, the report makes it clear that the issues for this Council to consider are narrow. This is for two reasons. First, whilst access from Tigers Road is a key part of the development, and is in Oadby and Wigston, that was approved at outline stage and is not for consideration again. Second, only a very small part of the site is in Oadby and Wigston, and none of the new buildings. The only elements in Oadby and Wigston are landscaping, a small section of road that serves the visitor parking and entry building, and the eastern boundary including alongside Crete Avenue.

We arranged an exhibition before the Outline Application was submitted - and a second before the Reserved Matters were submitted. The comments made by residents of Oadby and Wigston were consistent at both events, and are raised in the letters of objection referred to in the report. They focus on one key issue (apart from traffic) which is the concern about possible on street parking (staff and visitors) in Crete Avenue and Hindoostan Avenue.

The concern is that when the 5.2m fence is removed there is a risk that staff and visitors will park in the estate, rather than at the prison car parks. The MoJ and Interserve fully understand the reasons for resident's concerns. The Planning Statements submitted with the Outline and reserved matters applications confirm that: the proposals include about 420 parking spaces which is enough to support all staff and visitor needs, so there will be no need for staff or visitors to park in the estate; and the Applicants agree that the long term boundary treatment here should be impermeable so that if anyone did consider parking in

the estate they would be put off because they would have to walk a considerable distance via Saffron Road/Tigers Road.

We encouraged the Council to add conditions relating to boundary treatments. Condition 25 requires that the existing boundary treatment stays in place during demolition and construction. The recent application to partially discharge this condition confirms that the 5.2m fence and 2.4m concrete wall will remain throughout demolition and construction.

Condition 6 requires that the applicant agrees a new boundary treatment before implementation which will be installed before the new prison is occupied. A proposal will be put forward for consideration when an application to fully discharge Condition 6 is made - but there is no requirement for that as part of the Reserved Matters Applications.

We have indicated that the proposal is likely to be for a 2.4m high fence - which seems to be what residents would prefer - which will be impermeable and with materials to be agreed.

I agree also with the extra condition which Officers are proposing which requires details of how the new boundary treatment will tie into retained fences.

In summary, and as Officers have said, the issues for consideration by this Committee are narrow, with access having been approved and with all new built development being in Blaby. Even though they are narrow, they are important, and will be fully addressed by later submissions in relation to Condition 6.

Application No. 18/00230/REM

HM Young Offenders Institute Glen Parva, Tigers Road, Wigston, Leicestershire, LE18 4TN

Objector's Representations - Mr M Chenery

Good evening, my name is Mark Chenery, and I have lived on the old crown estate, on and off for the last 25 years. I would like to thank the committee for this opportunity to speak in regards to the Prison Development on behalf of myself, and my neighbours (some of whom unfortunately couldn't make it this evening).

Firstly I would like to say that none of the neighbours I have spoken to, has objections to the prison being re-built in its current location, and we have conducted ourselves calmly and politely at the numerous meetings we have attended, when speaking with the Ministry of Justice (MoJ) representatives, and I'm sure Nick Hardy would happily back us up.

As a resident who lives right at the end of Crete Avenue, my property is immediately bordered by Ministry of Justice (Crown) land. I would like to state for the benefit of this committee tonight that I do not regard them as 'good neighbours', and as such I would like to explain my reasoning behind this statement.

They have no regard for us as their neighbours and they do not maintain the grass verges, trees or street lighting outside of the boundary fence. My neighbour mows the grass to make our local area look respectable and we swap the lightbulbs, (with ladders) in the streetlamps to maintain a bit of light in the night, but currently all four streetlights are faulty. This presents us with a security risk, especially in the winter. We would like assurances from Oadby and Wigston Council that this situation will not be allowed to continue as it has been.

At the consultation meeting held in April, I spoke to Duncan DeBoltz of the MoJ estates team, and he told me that Blaby Council and the MoJ had agreed a deal, where Blaby have taken on the responsibility of the lighting for the ex-prison quarters sold off at around the same time as the ones on Crete Avenue were, however he wouldn't tell me what that deal was.

Whilst we acknowledge that this is documented in Planning Statement that has been submitted, we are residents within the Oadby and Wigston Council boundary and we want you to have no doubt about our requests to the MoJ:

- New Fence (at end of Crete Avenue) - we would like the new 2.4m boundary fence to be of a solid, smooth, non-reflective construction to protect our privacy, it would reduce carpark noise and is in keeping with our residential area. This fence needs to provide security both for us residents & the carpark (We don't want a shiny mesh industrial looking fence!);
- My neighbour (Mrs Sutton) who lives at 35 Crete Avenue, would like the new perimeter fence moving back slightly to allow shrub planting between the road and the new fence. On the current plan the new fence cuts across the road;
- Lighting - Whilst we have no lighting at the moment we do not want to be looking from our bedroom windows at a wall of bright white light aiming down at the

carparks. There is no mention of lighting on these current plans, and we are concerned about this and want to know what is planned;

- Lighting (Crete Avenue) - We would like street lighting that works and have the contact details of who to report it to when it doesn't;
- Noise - we'd like suitable noise screening (preferably native trees) to provide some additional protection for myself and my neighbours who live on Hindoostan Avenue which will be adjacent to the new visitor's car park;
- Planting (external to the perimeter fence) - We would like the planting to be in keeping with our estate and to be of native British shrubs and trees.
- Planting (external to the perimeter fence) - We'd like some assurances that these new trees will be maintained in a suitable manner, as and when the internal trees are maintained.
- Grass (external to the fence) - we note that there is a lot of grassed areas in the car park areas, we'd like the grass on the external area to the fence to be included when the carpark grass is cut.
- Parking - While the MoJ has stated in the Planning Statement that they will discourage parking on Crete Avenue, we still haven't been consulted how they plan to do that.

I'm sure that you will all agree our requests are not unreasonable and thank you all again for being able to be able to speak on behalf of myself and my neighbours.