



TO COUNCILLOR:

L A Bentley (Chair)
G A Boulter
Mrs L M Broadley (Vice-Chair)
F S Broadley

Mrs S Z Haq
Miss P V Joshi
J Kaufman
Miss A Kaur

C D Kozlowski
Mrs H E Loydall
R E R Morris
Dr I K Ridley

Dear Sir or Madam

I hereby **SUMMON** you to attend a meeting of the **DEVELOPMENT CONTROL COMMITTEE** to be held **BY REMOTE VIDEO CONFERENCE (SEE INSTRUCTIONS BELOW)** on **THURSDAY, 25 FEBRUARY 2021** at **6.00 PM** for the transaction of the business set out in the Agenda below.

Yours faithfully

Council Offices
Wigston
16 February 2021

Mrs Anne E Court
Chief Executive



SPECIAL NOTE:

This remote meeting is convened and held in accordance with section 78 of the Coronavirus Act 2020 and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 to which Part 4, Section 1A of the Council's Constitution (Remote Meeting Procedure Rules) will apply. This meeting is open to the press and public to observe by streaming the meeting's live proceedings. Instructions regarding the access arrangements for this meeting are below.

ITEM NO.

AGENDA

PAGE NO'S

① Remote Video Conference | Instructions

This meeting will take place as a remote video conference.

Meeting Participants:

Zoom Video Conferencing Webinar

A webinar invitation will be sent by e-mail to all Members, Officers and Registered Public Speakers for this meeting.

Press & Public Access:

Cont'd



Customer Service Centre: 40 Bell Street, Wigston, Leicestershire LE18 1AD
Council Offices: Station Road, Wigston, Leicestershire LE18 2DR
Tel: (0116) 288 8961 **Fax:** (0116) 288 7828



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Oadby_Wigston

YouTube Live Stream

A direct link to the live stream of the meeting's proceedings on the Council's YouTube Channel is below.

<https://youtu.be/q6nEaWxp9jA>

Remote Meeting Procedure Rules:

A summary of the Remote Meeting Procedures Rules to be adopted for the meeting is attached for reference.

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1. Apologies for Absence

To receive apologies for absence from Members to determine the quorum of the meeting in accordance with Rule 7 of Part 4 of the Constitution.

2. Appointment of Substitutes

To appoint substitute Members in accordance with Rule 26 of Part 4 of the Constitution and the Substitution Procedure Rules.

3. Declarations of Interest

Members are reminded that any declaration of interest should be made having regard to the Members' Code of Conduct. In particular, Members must make clear the nature of the interest and whether it is 'pecuniary' or 'non-pecuniary'.

4. Minutes of the Previous Meeting

6 - 8

To read, confirm and sign the minutes of the previous meeting in accordance with Rule 19 of Part 4 of the Constitution.

5. Report of the Development Control Manager (February 2021)

9 - 16

Report of the Development Control Manager

a. Application No. 20/00541/FUL - 32 Grange Road, Wigston, Leicestershire, LE18 1JG

10 - 15

Report of the Planning Control Officer

For more information, please contact:

Democratic Services

Oadby and Wigston Borough Council
Council Offices
Station Road, Wigston
Leicestershire
LE18 2DR

t: (0116) 257 2775

e: democratic.services@oadby-wigston.gov.uk

**You can access all available public meeting documents
and audio-visual live streams and recordings electronically on:**



Our website **oadby-wigston.gov.uk** under **'Your Council'** and **'Meeting Dates, Agendas & Minutes'**



Your smart **iPad**, **Android** or **Windows** tablet device with the **'Modern.Gov'** app



Our **YouTube** Channel **ow.ly/FYQW50zDNkc** or smart device with the **'YouTube'** app (facilitated by **'Zoom'**)



Our audio platform **soundcloud.com/oadbywigstonbc** or smart device with the **'SoundCloud'** app

Agenda Annex

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Summary of Remote Meeting Procedure Rules

(Section 1A of Part 4 of the Constitution)

➤ **Disclosable Pecuniary Interests (Rule 7)**

Any Member who declares a disclosable, pecuniary interest in any item of business on the agenda will be required to leave the remote meeting for the duration of the item.

Their departure will be confirmed by Democratic Services, who will then invite the relevant Member to re-join the meeting at the appropriate time.

➤ **Hosting Technology Failure (Rule 8)**

Should the hosting technology fail during the meeting, the Chair will call an adjournment of up to fifteen minutes to determine whether the connection can be re-established.

If the connection cannot be re-established after fifteen minutes, the meeting shall stand adjourned to a later date to be confirmed.

➤ **Connection Failure for Individual Member (Rules 3 and 8)**

In the event of connection failure for an individual Member, the meeting will proceed, providing it remains quorate (i.e. the minimum number of Members remain connected).

Should the meeting no longer be quorate, the meeting shall be adjourned and any remaining items of business will stand deferred to a later date to be confirmed.

➤ **Indicating to Speak (Rule 9)**

Members must indicate their wish to speak by using the 'Raise Hand' function in Zoom.

The Chair and Democratic Services will work together to invite each Member to speak in the order that their hand was raised.

➤ **Voting on Decision-Making Items (Rule 10)**

Before proceeding to the vote on any item of business on the agenda which requires a decision, the Chair will ensure that all Members and Officers have no further comments to make by confirming with Democratic Services that no hands remain raised.

The Chair will clarify what motion and/or amendment is being voted upon before the vote.

Democratic Services will call each Member's name, in alphabetical order by surname, and each Member will indicate whether they are voting 'for', 'against' or 'abstaining' on the item.

Democratic Services will record each response and, once all Members have voted, confirm the outcome of the vote.

➤ **Voting on Housing-Keeping / Information-Only Items (Rule 10)**

In respect of voting on all other housing-keeping or information-only items of business on the agenda, the Chair will ask Members to raise their hand using the function in Zoom.

If all hands are raised, those items will be agreed by general affirmation.

Agenda Item 4

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD BY REMOTE VIDEO CONFERENCE ON THURSDAY, 24 SEPTEMBER
2020 COMMENCING AT 6.00 PM**

PRESENT (BY REMOTE LINK)

L A Bentley Chair
Mrs L M Broadley Vice-Chair



COUNCILLORS

G A Boulter
F S Broadley
Mrs S Z Haq
Miss P V Joshi
J Kaufman
Miss A Kaur
C D Kozlowski
Mrs H E Loydall
R E R Morris
Dr I K Ridley

OFFICERS IN ATTENDANCE (BY REMOTE LINK)

S J Ball Trainee Solicitor (acting as the Democratic Services Officer)
D M Gill Head of Law & Democracy / Monitoring Officer
R Redford Development Control Manager
A Thorpe Head of Built Environment
S Tucker Democratic & Electoral Services Manager / Deputy Monitoring Officer

18. APOLOGIES FOR ABSENCE

None.

19. APPOINTMENT OF SUBSTITUTES

None.

20. DECLARATIONS OF INTEREST

None.

21. MINUTES OF THE PREVIOUS MEETING

By affirmation of the meeting, it was

UNANIMOUSLY RESOLVED THAT:

The minutes of the previous meeting held on 27 August 2020 be taken as read, confirmed and signed.

22. REPORT OF THE DEVELOPMENT CONTROL MANAGER (SEPTEMBER 2020)

22a. APPLICATION NO. 18/00354/FUL - LAND ADJACENT TO 26-28 STATION ROAD, WIGSTON, LEICESTERSHIRE, LE18 2DH

The Committee gave consideration to the report (as set out at pages 10 - 22 of the agenda reports pack) with reference to the Officers' Presentation (as set out at slides 3 - 11) which asked it to determine an application for the erection of a two to two and half-storey building, providing 12 residential flats (Use Class C3) and unit (Use Class E) with associated access, parking, cycle store, bin store and amenity space.

It was moved by the Chair, seconded by Councillor J Kaufman and

RESOLVED THAT:

- (i) A condition be added such to the effect that prior to first occupation, full details of all gates forming part of the proposed development site shall be submitted to and approved in writing by the Local Planning Authority to ensure highway safety;**
- (ii) An informative be added such to the effect that the applicant be advised that any air conditioning units proposed as part of the proposed development site would require planning permission, an application for which is to submitted to and determined by the Local Planning Authority prior to any works taking place;**
- (iii) An informative be added such to the effect that the applicant be advised of the Committee's desire for future owner/occupiers of the dwelling-flats be made aware that the parking spaces are limited in number and the spaces approved should be allocated to specific dwelling-flats with all owner/occupiers advised accordingly;**
- (iv) A condition be added such to the effect that construction of and acceptance of deliveries to the proposed development site be limited to: Monday to Friday, 0800 - 1900 hours; Saturday, 0900 - 1500 hours; Sundays and Bank Holidays - no construction or deliveries; and**
- (v) A condition be added such to the effect that all deliveries to the proposed development site shall only be deposited on the application site itself to prevent any obstruction to the highway.**

Votes For	11
Votes Against	1
Abstentions	0

It was moved by the Chair, seconded by Councillor J Kaufman and

RESOLVED THAT:

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

Votes For	6
Votes Against	5
Abstentions	1

THE MEETING CLOSED AT 7.32 PM



Chair

Thursday, 25 February 2021

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Council Offices, Station Road, Wigston, Leicestershire, LE18 2DR*

Agenda Item 5

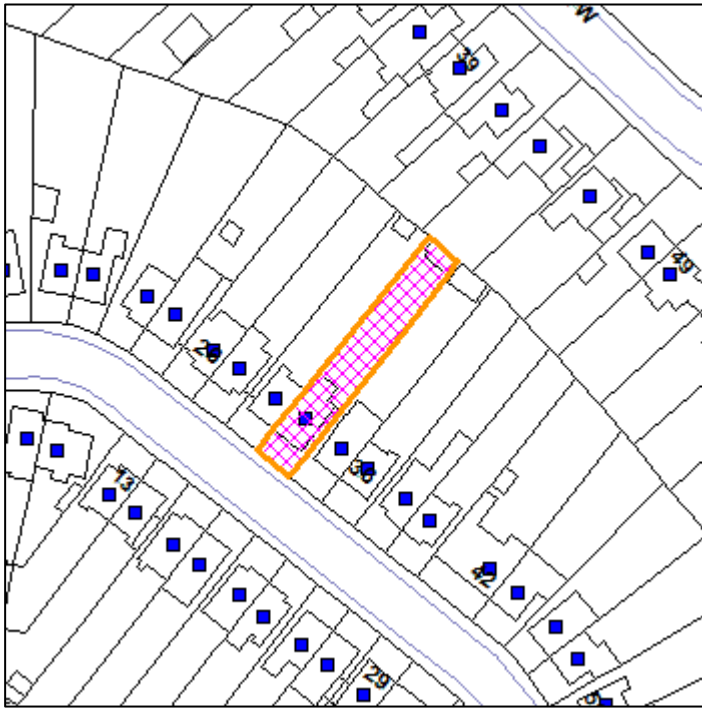
Application Number

Address

Report Items

- a. **20/00541/FUL** 32 Grange Road
Wigston
Leicestershire
LE18 1JG

a.	20/00541/FUL	32 Grange Road Wigston Leicestershire LE18 1JG
	7 December 2020	Single storey rear extension
	Case Officer	Mr Jacques Carboni



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Site and Location

The application site relates to a two-storey semi-detached property, located to the north east side of Grange Road. The surrounding area is predominantly residential and comprises largely of semi-detached dwellings of similar characteristics. The property benefits from a modest, elongated private garden to the rear and a driveway to the front.

There are no notable land level discrepancies and the application does not concern a Listed Building, nor is the site located within a Conservation Area.

Description of proposal

The proposal seeks permission for the erection of a single storey rear extension. An existing conservatory will be moved to facilitate the development.

This extension will project 3.5m from the original rear elevation of the property and will extend 5.7m across the width of the dwelling. It will include a flat roof design, with an overall height of 3.3 m and a rooflight in the centre of the roof space. In terms of fenestration, the proposal will include a single window and a set of French doors to the rear and will create space for an open plan family room and kitchen.

It is to be noted that revisions were sought to the proposal during the application which has seen the overall projection of the extension be reduced whilst extending the width to those detailed in the previous paragraph.

This will be constructed from materials to match the host dwelling.

The statutory determination period for this application expired on the 1 February 2021 and it is intended to issue a decision as soon as practicably possible after the Committee meeting.

The application is presented to the Committee as the applicant is a Council employee.

Relevant Planning History

The site has no relevant planning history.

Consultations

None received.

Representations

Neighbours have been informed and a site notice placed with no letters of representation being received at the time of writing this report. No representations have been received to date.

Relevant Planning Policies

National Planning Policy Framework

Oadby and Wigston Local Plan

Policy 6 - High Quality Design and Materials
Policy 44 - Landscape and Character

Supplementary Planning Document/Other Guidance

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Planning Considerations

The main issues to consider in the determination of this application are as follows:

- * The impact of the proposal on the street scene
- * The impact of the proposal on neighbouring residential properties.

The impact of the proposal on the street scene

Local Plan Policy 6 suggests that high quality design, and the use of high quality materials is paramount in ensuring that new development creates attractive buildings and spaces that are sustainable, well connected, and are in character within the locale they are set.

Local Plan Policy 44 sets out that proposals will be determined against the need to conserve and enhance the distinctive landscapes in the Borough where development will only be permitted where it is in keeping with the area in which it is situated.

The Oadby and Wigston Borough Council: Residential Development Supplementary Planning Document states that all new residential related development should have a relationship with its surroundings in terms of massing, height, balance, use of materials, roof shape and architectural detailing. The character and appearance of residential related development and how this fit with the local street scene are important considerations when deciding if proposed development is acceptable.

The proposed extension will be sited to the rear of the application site and will not be visible from within the street scene of Grange Road. Considering the overall height and rearward projection of the extension, it is viewed that the proposal would be subordinately proportionate and would not result in a loss of character to the property. Furthermore, the proposal would not result in a disproportionate loss of garden space.

It is noted that several neighbouring properties have constructed single storey rear extensions (including no. 34 Grange Road) and in this regard the proposal is considered to harmonise with the prevailing pattern of development in the area.

The proposal would be constructed from materials to match the host dwelling and would not detract from the character of the wider area.

Overall, it is concluded that the proposed scheme is appropriate in scale and design and, therefore, there will be no perceived detrimental impact upon the character and appearance of the area, thus satisfying Local Plan Policies 6 and 44 as well as the guidance in the Residential Development SPD.

The impact of the proposal on neighbouring residential properties.

Policy 6 of the Local Plan requires that, inter alia, new development should protect local amenity, including, resisting development that has unacceptable contributions towards air quality, noise, vibration, smell, light or other pollution, loss of light or overlooking.

The Oadby and Wigston Borough Council: Residential Development SPD states that all new extensions and alterations, should be designed so that adequate levels of amenity for future and existing residents of the property and neighbouring properties are provided and maintained.

Oadby and Wigston Borough Council apply a 45 Degree Code of Practice. The code is intended for use in relation to all extensions, which affect residential properties and will be applied in the assessment of planning applications in conjunction with all the Council's related planning policies.

Point 3.46 of the Councils SPD, states that 'all residential related development will need to conform to the 45 degree code of practice. This code is intended to make sure that extensions do not dominate neighbouring properties and detract from the enjoyment that neighbours have in their property.'

Point 3.47 of the SPD states that '..it should be noted that at the rear of dwellings a single storey extension projecting an effective maximum distance of 3.5 metres along the boundary will usually be allowed irrespective of these guidelines.'

It is noted that there is an existing ground floor extension to the rear of no. 34 Grange Road. Considering the presence of this extension, as well as the height of the mutual boundary treatment, it is not viewed that the proposal will result in a significant loss of amenity to the occupiers of this property by way of loss of light or overbearing.

Due to concerns with the original projection and proximity to the boundary with the adjacent property, no.30, amended plans were sought and received. The amended scheme sees the depth of extension of 3.5m with an overall width of 5.7m. This will extend to the boundary with no.30.

Given the amendments proposed and the requirements within the SPD, it is now considered that the proposed extension will not have any perceived detrimental impact upon neighbouring amenity and is in accordance with policy 6 of the Local Plan and the requirements within the SPD.

Conclusion

It is considered the proposal amounts to Sustainable Development which accords with the prevailing policies of the Development Plan and NPPF, and there are no outstanding areas of concern. Therefore, it is recommended that permission be granted subject to appropriate planning conditions.

Implications Statement

Health	No Significant implications
Environment	No Significant implications
Community Safety	No Significant implications
Human Rights	The rights of the applicant to develop his property has to be balanced against the rights of neighbours.
Equal Opportunities	No Significant implications
Risk Assessment	No Significant implications
Value for Money	No Significant implications
Equalities	No Significant implications
Legal	No Significant implications

Recommendation

For the reasons set out in the above report then **GRANT** subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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- 2 All external materials used in the development shall match those of the existing building in colour, size, coursing and texture unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the character and appearance of the building and its surroundings and in accordance with the aims and objectives of the National Planning Policy Framework, Policies 6 and 44 of the Oadby and Wigston Local Plan.

- 3 The development hereby approved shall be implemented in accordance with the following;

Application forms submitted to and received by the Local Planning Authority on 7 December 2020; and
Drawing titled 'Plans and Elevations' numbered AM01-20-01 PL (r1), submitted to and received by the Local Planning Authority on 2nd February 2021.

Reason: For the avoidance of doubt and to ensure the development is carried out in accordance with the particulars considered and found to be acceptable.

Note(s) to Applicant :

- 1 You are advised that this proposal may require separate consent under the Building Regulations and that no works should be undertaken until all necessary consents have been obtained. Advice on the requirements of the Building Regulations can be obtained from the Building Control Section.
- 2 If the proposal involves the carrying out of building work along or close to the boundary, you are advised that under the Party Wall Etc. Act 1996 you have a duty to give notice to the adjoining owner of your intentions before commencing this work.
- 3 For the avoidance of doubt this permission does not authorise any development outside the application site including any foundation, footings, fascias, eaves, soffits, verges or guttering.
- 4 You are advised that any amendments to the approved plans will require either a Non-Material amendment application, a Minor Material Amendment application or a new planning application. If this is the case then you should allow at least 8 weeks before the intended start date to gain approval for such amendments. Further advice can be obtained by contacting the Planning Section of the Council on any amendments (internal or external).
- 5 In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

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If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

BACKGROUND PAPERS

a. **20/00541/FUL**