

**MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL
COMMITTEE HELD AT THE COUNCIL OFFICES, WIGSTON ON
THURSDAY 21 AUGUST 2014, COMMENCING AT 7.00 P.M.**

IN ATTENDANCE:

Councillor L A Bentley – Chair
Councillor L M Broadley – Vice Chair

Councillors: F S Broadley, G A Boulter, M H Charlesworth, D Gamble, S Z Haq, J Kaufman, L Kaufman, H E Loydall, S B Morris

Officers in Attendance: A Court, C Forrett, S Dukes, S Jinks and I Dobson

Others in Attendance: Ms R Hall, Mrs Rothman, Mr P Mortimer, Cllr K Loydall, Mr M Islam (Speakers)

Min Ref	Narrative	Officer Resp
26.	<u>APOLOGIES FOR ABSENCE</u> D Carter, B Dave, R Eaton, J Gore, R Morris	GR
27.	<u>DECLARATIONS OF SUBSTITUTIONS</u> None.	
28.	<u>DECLARATIONS OF INTEREST</u> Cllr H Loydall raised two points: 1) A resident had contacted Cllr H Loydall to request that she speak on behalf of an application for 18 Shackerdale Road. Cllr Loydall refused and advised on the process for registering to speak. Cllr H Loydall stated that she maintained an open mind and had no personal interest. 2) Cllr H Loydall stated that the Monitoring Officer had raised the proximity of her residential property to the Nautical William as a consideration. Cllr H Loydall reserved her right to speak and stated that she would not take part in the debate or voting. Cllr S Haq stated that she had been in discussion with the applicant and objectors in respect of an application for 23 Bourton Crescent and would not take part in the voting.	
29.	<u>PETITIONS AND DEPUTATIONS</u>	

	<p>1) A petition received objecting to the part change of use application for the Nautical William Car Park, as attached to the agenda reports pack.</p> <p>2) A petition received in support of the part change of use application for the Nautical William Car Park, as referred to in the agenda update circulated at the meeting.</p>	ID
30.	<p><u>MINUTES</u></p> <p>RESOLVED: That the minutes of the previous meeting of the Committee held on 23 July 2014, be taken as read, confirmed and signed.</p>	
31.	<p><u>REPORT OF THE DEVELOPMENT CONTROL MANAGER</u></p> <p>The Committee considered the report of the Planning Control Manager as set out in report pages 10-70, which should be read in conjunction with these minutes as a composite document.</p> <p>The Committee considered the agenda update document that was circulated at the meeting.</p> <p>5. 14/00272/COU Nautical William, Aylestone Lane, Wigston, Leicestershire, LE18 1BA. Part change of use of car park for use as hand car wash (Application Revision A)</p> <p>The Applicant (Mrs Rothman) addressed the committee stating that she disagreed with the assessment made by Highways in relation to an increase in car parking and congestion. She informed the committee that a photographic survey which she had conducted showed that the car park was rarely used to capacity. She went on to say that the car wash operation would cause minimum disturbance due to the use of domestic equipment. Mrs Rothman requested that a trial period be approved.</p> <p>Councillor Helen Loydall addressed the committee citing the professional advice of officers contained within the report which indicated that approval of the application would have a detrimental impact on highway safety. She also expressed concern about the potential for the public to be affected due to the proximity of the car park to a bus stop.</p> <p>Councillor Helen Loydall left the meeting at 19:14.</p> <p>Mr Peter Mortimer addressed the committee in support of the</p>	

application as the part owner of the Nautical William public house. He stated his belief that the car park had capacity for a car wash operation and that the proposal had only been accepted on the basis that it would be a low key operation and not cause a nuisance to neighbours or the public house.

Councillor Kevin Loydall addressed the committee on behalf of residents objecting to the application. He stated that the application was strongly opposed by residents as demonstrated by the petition received by the committee. He went on to raise concerns about the effect that the car wash would have on pedestrians at the bus stop on Aylestone Lane and the surrounding footpaths. Further, Councillor Loydall emphasised the highway safety issues raised by Officers that were contained within the report and requested that the committee adopt the recommendation to refuse the application.

Councillors Jeffrey and Lily Kaufman joined the meeting at 19:20. The Chairman reminded them that they were unable to vote on the current matter as they had not been present for the whole of the debate. Both Councillor Jeffrey and Lily Kaufman confirmed that they had no interests to declare at the meeting.

The Planning Officer outlined her report for a part change of use of car park for use as a hand car wash. She highlighted that it was considered that street parking would increase in the event of a grant of the application. She went on to say that a temporary permission was not feasible in these circumstances.

Members debated the matter with the majority commenting that highways safety issues were of great concern. One Member disagreed with the recommendation contained within the report and stated that the operation should be permitted.

RESOLVED: That for the reasons set out in the report to refuse the application for a part change of use of car park for use as a hand car wash.

1. 14/00242/FUL 14 Highfield Drive, Wigston, Leicestershire. LE18 1NN. Erection of first floor side and rear extensions (Application Revision D)

Councillor Helen Loydall re-joined the meeting at 19:34.

The Planning Officer presented his report and informed the committee that following the amendment of the application (as set out in the agenda update circulated at the meeting) the

officer recommendation had been amended in favour of approving the application.

Councillor Sharon Morris entered the meeting at 19:35. She stated that she had no interests to declare at the meeting and realised that she was unable to vote on the current matter being debated.

Members commented that the amendments to the application were satisfactory. It was requested that the building works are monitored to ensure compliance with the approved plans.

RESOLVED: That for the reasons set out in the agenda update to permit the application following the submission of amended plans.

2. 14/00250/VAC Former Site Of St Georges Houses, Moat Street, Wigston, Leicestershire. Section 73 application to vary condition 25 of application reference 13/00119/FUL to extend trading hours to 07:00 to 23:00 seven days a week including Bank Holidays

Councillor Linda Broadley took over as chairman of the meeting at 19:44 due to Councillor Lee Bentley speaking to the committee in objection to the application.

Councillor Lee Bentley outlined his objections in respect of the application. He referred to the initial application for the site, which had been debated extensively. He recalled that the Committee had resolved to restrict the hours of operation on Sundays and Bank Holidays to protect the amenity of the area. He went on to say that this had been accepted by the applicant at the time. Further, Councillor Bentley objected to ambiguity within the technical note which stated that noise impact upon neighbours would be “unlikely” in the event of approval of the application which he did not believe was a precise description of the impact. He urged the committee to refuse the application on the basis that it would adversely affect the amenity of the area.

Councillor Lee Bentley left the room at 19:50.

Rachel Hall addressed the committee on behalf of the applicant. She stated that the variation of the condition in respect of opening hours was required due to operational requirements. She referred to a technical note which was submitted with the application which states that the increase in

hours is unlikely to generate significant noise disturbance. She went on to say that consultations with Officers had led to no significant concern being raised which is reflected in the recommendation. Finally, she suggested that the application is for a minor change which would not affect amenity.

The Planning Officer outlined her report and referred to a technical note which had been submitted with the application which stated that approval of the application is unlikely to result in significant disturbance. She went on to state that there had been no objections from residents and that Environmental Health had not raised any concerns. The committee were recommended to approve the application.

Members were united in their response that the application would adversely affect the amenity of the area by causing unreasonable increases in noise disturbance.

RESOLVED: To refuse the application to vary a condition to extend trading hours to 7:00 – 23:00 seven days a week including Bank Holidays due to a detrimental impact on the amenity of the area.

3. 14/00251/FUL St Georges Houses, Moat Street, Wigston, Leicestershire. Provisions for refrigeration plant and 3 No. external air conditioning units within enclosed fenced area

Councillor Lee Bentley re-entered the room at 20:05 to speak in objection to the application.

Councillor Lee Bentley outlined his objections in respect of the application. He referred to the initial application for the site, which had been debated extensively and that no mention of plant had been raised. He went on to say that a technical note submitted in support of the application considered immediately prior to the current one had specified that plant would be the dominant source of noise disturbance. Councillor Bentley expressed concern that noise generated by the plant would cause a nuisance to neighbours particularly when they degrade. He urged the committee to refuse the application on the basis that it would adversely impact upon the amenity of the area.

Councillor Lee Bentley left the meeting at 20:11.

Rachel Hall addressed the committee on behalf of the applicant and stated that the noise levels of the refrigeration plant and air

conditioning units would be in line with a proposed condition limiting it to 5Db(A) and would be placed on a reduced setting at night. She went on to say that the plant would be screened from view and would have a minimal impact on the locality and neighbouring properties.

The Planning Officer outlined her report and confirmed that it was considered that there was no material harm within the proposal and that the application was recommended for approval.

Members expressed serious concern that the applicant had not identified the need for this plant at the time of the initial application. Members instructed Officers to include an additional condition requiring that the air conditioning units are only used during approved hours of operation.

RESOLVED: That for the reasons set out in the report to permit the application.

Councillor Lee Bentley re-joined the meeting as Chairman of the committee.

4. 14/00267/FUL 18 Shackerdale Road, Wigston, Leicestershire. LE18 1BQ. Retention of two storey side and rear extensions, canopy to front and single storey rear extensions. Retention and alteration of rear dormer and proposed single storey rear extension. (Application Revision B)

The Planning Officer outlined his report informing the committee that the application sought to make amendments to the existing structure to bring into line with policy. He went on to confirm that there is an enforcement notice in place for the demolition of the extensions and the removal of all materials from the site.

Members welcomed the alterations and emphasised that the box dormer is altered within 4 months of the decision and requested that this is monitored closely.

The Planning Control Manager confirmed that the works would be monitored and enforcement action will be taken in the event the works are not completed.

RESOLVED: That for the reasons set out in the report to permit

	<p>the application.</p> <p>6. 14/00274/FUL 23 Bourton Crescent, Oadby, Leicestershire, LE2 4PA. Erection of first floor front extension, single storey side, front and rear extensions, including conversion of garage to habitable room with internal alterations (Application Revision B)</p> <p>The Applicant (Mr Islam) addressed the committee. He informed the committee that all suggestions by planning officers had been accepted and that he had recently met with his neighbours and alleviated their concerns.</p> <p>The Planning Control Manager outlined the report highlighting that revised plans were submitted following the publication of the main agenda which are referred to in the agenda update. He confirmed that the amendments would help reduce the impact on the adjacent neighbour.</p> <p>Members requested that a note to applicant be included with the permission to limit the hours of construction and replace trees that are removed as part of the works.</p> <p>RESOLVED: That for the reasons set out in the report to permit the application.</p> <p>7. 14/00283/VAC Launde Primary School, New Street, Oadby, Leicester, LE2 4LJ. Section 73 application to remove condition 1 of planning permission 14/00110/FUL relating to approval of community use agreement</p> <p>The Planning Officer outlined the report and informed Members that it is considered that condition 1 should be retained and the school should submit a Community Use Agreement and ensure community access to the all weather ball court.</p> <p>RESOLVED: That for the reasons set out in the report to refuse the application.</p>	
<p>32.</p>	<p><u>TREE PRESERVATION ORDER TPO/0302 – LAND AT 16 KNIGHTON RISE, OADBY</u></p> <p>The Committee considered the report of the Planning Control Manager as set out in report pages 71, which should be read in conjunction with these minutes as a composite document.</p>	

	RESOLVED: That the Tree Preservation Order made on 30 April 2014 be confirmed as made.	
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The Meeting Closed at 9.15 p.m.