

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD AT THE COUNCIL OFFICES, WIGSTON ON THURSDAY 16 OCTOBER 2014, COMMENCING AT 7.00 P.M.

IN ATTENDANCE:

L A Bentley – Chair
R E R Morris – Vice Chair

Councillors: G A Boulter, D Carter, S Z Haq, J Kaufman, H E Loydall, S B Morris

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

Others in Attendance: R Cotterill (Turleys)

Min Ref	Narrative	Officer Resp
33.	<p><u>APOLOGIES FOR ABSENCE</u></p> <p>Prior to receiving the apologies Councillor Richard Morris was elected vice-chairman in the absence of Councillor Linda Broadley.</p> <p>L Broadley, M Charlesworth, B Dave, R Eaton, D Gamble, J Gore, L Kaufman</p>	
34.	<p><u>DECLARATIONS OF SUBSTITUTIONS</u></p> <p>None.</p>	
35.	<p><u>DECLARATIONS OF INTEREST</u></p> <p>Councillor H Loydall and Councillor S Morris requested clarification in respect of a change of use application for 40 Bell Street and whether Members should declare an interest in view of the application being for a Council Customer Service Centre. The Monitoring Officer confirmed that the application is a separate consideration which should be considered by Members on its planning merits.</p> <p>The Chairman stated that he was an objector to the application for the Former Site of St Georges Houses and as such would speak on the matter and then leave the room without taking part in the debate or the voting.</p>	
36.	<p><u>PETITIONS AND DEPUTATIONS</u></p>	

	<p>Petition objecting to planning application 14/00354/OUT received by the Committee.</p> <p>Councillor Helen Loydall stated that she had been contacted in relation to the received petition and had given advice on how to present a petition.</p>	ID
37.	<p><u>MINUTES</u></p> <p>RESOLVED: That the minutes of the previous meeting of the Committee held on 21 August 2014, be taken as read, confirmed and signed.</p>	
38.	<p><u>FEES AND CHARGES 2015/16</u></p> <p>The Committee considered the report of the Chief Financial Officer as set out in report pages 12-16, which should be read in conjunction with these minutes as a composite document.</p> <p>RESOLVED: That the proposed scale of charges for 2015/16 be recommended for approval by the Policy, Finance and Development Committee.</p>	
39.	<p><u>REPORT OF THE DEVELOPMENT CONTROL MANAGER</u></p> <p>1. 14/00308/FUL 69 The Broadway, Oadby, Leicester, LE2 2HG Erection of a single storey rear extension, demolition of existing garage and erection of new garage, gym, swimming pool enclosure and boundary wall</p> <p>The Committee considered the agenda update document which was circulated at the meeting.</p> <p>Mr Ahmed addressed the Committee in objection the application. His main points of concern related to the size of the proposal and it's proximity to the hedgerow adjoining 71 The Broadway. He went on to say that the proposal borders a conservation area.</p> <p>The Planning Control Manager referred to the agenda update which stated that revised plans had been received in respect of the application which had resulted in an amended recommendation to permit the application. He went on to say that it was recommended that a condition be adopted to ensure that the swimming pool remains ancillary to the use of the permission.</p>	

The Committee debated the matter and raised concerns in respect of potential noise nuisance, light pollution and the maintenance and retention of the hedgerow between 69 & 71 The Broadway. Members discussed the possibility of placing conditions on the permission to restrict lighting and noise to reasonable hours. Further, discussion took place around a condition to retain and maintain the hedgerow between 69 & 71 The Broadway.

The Planning Control Manager advised that such conditions may not be reasonable particularly given that the proposal relates to a domestic property. He went on to say that there were separate legislative regimes relating to statutory nuisance and high hedges which could resolve any issues should they arise.

Notwithstanding the Planning Control Manager's advice above, Members considered that a condition to ensure the retention of the hedgerow was necessary to protect residential amenity of 71 The Broadway.

A Member suggested that it would be reasonable to include a note to applicant relating to the prevention of noise nuisance. The Planning Control Manager confirmed that a note to applicant could be included on the planning permission if granted.

RESOLVED: Following the submission of amended plans permit the application with the conditions outlined in the main agenda with an amended Note to Applicant as set out in the agenda update and an additional Note to Applicant for the prevention of noise nuisance and an additional condition to ensure the retention of the hedgerow between 69 & 71 The Broadway.

2. 14/00356/VAC Former Site of St Georges Houses, Moat Street, Wigston, Leicestershire. Section 73 application to vary condition number 30 of planning permission 13/00119/FUL to allow for the installation of ATM on front elevation

Councillor Richard Morris took the Chair at 7:46pm.

Councillor Lee Bentley addressed the committee outlining his objections on behalf of residents. He stated that the original decision, to condition that the ATM remained inside the premises, had been made to protect the amenity of the local

area. He went on to state his belief that users of the ATM would be likely to park on double yellow lines near the site and cause a loss of amenity. Finally, he urged the Committee to refuse the application for a severe loss of amenity.

Councillor Lee Bentley left the meeting at 7:51pm.

Rosie Cotterill addressed the Committee on behalf of the applicant. She stated that the application sought to vary a condition to allow the installation of an ATM outside of the premises rather than inside as previously determined by the Committee. She went on to say that there was no reason to reject the application which was reflected in the Officer recommendation and comments within the report. Further, she stated that the ATM would be located 25 metres from Moat Street and would not be likely to result in parking issues.

The Planning Officer summarised the report and stated that the application would not be likely to have an impact on parking in the area. She went on to say that a traffic regulation order would be agreed as part of the section 106 agreement.

It was noted that the condition 25 was incorrect within the report and that planning hours should be 7am – 11pm Monday to Saturday and 9am – 11pm on Sundays and Bank Holidays.

The Committee debated the application and raised concerns about the incremental nature of planning applications made by the applicant to circumvent the Committee's original decision.

A Member raised concerns about parking and suggested that a barricade be considered to prevent vehicles from cutting across the car park.

The Committee contended that there is not a need for an ATM with 24 hour access. The vast majority of Members raised concerns about the likely impact to residents of on street parking caused by use of the ATM. A Member suggested restricting the times that the ATM could be used.

The Planning Control Manager emphasised to Members that the impact was no greater than comparable sites in the Borough and that there appeared to be no material planning considerations to base a rejection upon.

The Committee reluctantly agreed to permit the application.

RESOLVED: That the application be permitted as set out in the report.

3. 14/00382/COU 40 Bell Street, Wigston, Leicestrshire, LE18 1AD Change of use from retail (Use Class A1) to customer service centre (Use class A2)

The Planning Officer informed Members that the application related to a change of use application for a customer service centre for the Council. She went on to say that it is considered that such a centre would add to the vitality of the area.

The Committee discussed the application with Members commenting on positive and negative aspects of the proposal.

A Member commented that the proposal would have a regenerative effect and increase footfall in the area giving an added benefit to the local economy and area.

A Member responded by cautioning about the use of a premises which would serve well as a shopping unit. He went on to say that the Council's target for bring empty units back into use must be considered so the unit should be able to revert back to retail use in the future. Finally, he expressed concerns about access for people with disabilities to the premises.

Another Member echoed concerns about access and parking for people with disabilities.

The Director of Services confirmed that parking for residents with disabilities would be secured as part of the lease.

RESOLVED: That the application be permitted in line with the report.

The Meeting Closed at 8:44p.m.