

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD AT THE COUNCIL OFFICES, WIGSTON ON THURSDAY 11 DECEMBER 2014, COMMENCING AT 7.00 P.M.

IN ATTENDANCE:

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

Councillors: F Broadley, D Carter, D Gamble, B Dave, R Eaton Mrs J Gore, Mrs S Haq, J Kaufman, Mrs L Kaufman, R Morris and Mrs S Morris and Mrs H Loydall

Officers in Attendance: T Carey, A Court, S Dukes, C Forrett and J Guazzaroni

Others in Attendance: Ms P McConnell, Mr S Gastzowicz, Mr A Parr and Mr G Gresham.

Min Ref	Narrative	Officer Resp
46.	<p><u>APOLOGIES FOR ABSENCE</u></p> <p>Apologies received from Councillors G Boulter and M Charlesworth</p>	
47.	<p><u>DECLARATIONS OF SUBSTITUTIONS</u></p> <p>None.</p>	
48.	<p><u>DECLARATIONS OF INTEREST</u></p> <p>Councillor S Morris declared that she is a governor at a school where the head teacher is employed by Guthlaxton College but remained open minded on application number 14/00407/TPO</p> <p>Councillor J Gore declared that her husband is the Chairman of Governors at Guthlaxton College but remained open minded on application number 14/00407/TPO.</p> <p>Councillor J Kaufman declared he had received one or two phone calls from residents in relation to application number 09/00254/FUL.</p> <p>Councillor Mrs L Kaufman declared she had spoken to a resident in relation to application number 09/00254/FUL</p>	

	Councillor D Gamble declared he had been contacted by residents in relation to application number 09/00254/FUL.	
49.	<u>PETITIONS AND DEPUTATIONS</u> None	ID
50.	<u>MINUTES</u> RESOLVED: That the minutes of the previous meeting of the Committee held on 13 November 2014, be taken as read, confirmed and signed.	
51.	<u>REPORTS OF THE DEVELOPMENT CONTROL MANAGER</u> The Committee considered the agenda update which was circulated at the meeting. 1. 09/00254/FUL Gilbert Murray Hall, 18 Manor Road Oadby, Leicestershire, LE2 2LH. Continued use of a building as an all year round conference facility plus student facilities ,extensions to conference hall including new roof and associated car parking (Application Revision B) The Committee gave consideration to the report and appendices of the Planning Control Manager as set out in report pages 8 to 27, which should be read together with these minutes as a composite document. Ms P Connell addressed the Committee in support of the application giving details of the background to the reason for the new application to be considered the original application was heard in 2009. She informed the Committee that the application should be considered on its merits and that conferences had been taking place at the Hall since 1984. She also informed them that the University had conducted an independent travel survey and that the development had no adverse impact on the highway network that the proposal concords with the development plan and that the proposal delivers benefits that are sustainable including jobs and raising the profile of the Borough. Mr S Gasztowicz addressed the Committee in objection to the application. He informed the Committee that the application was for a conference facility 50 % bigger than the original conference hall. He also stated that as this was a conservation area developments should enhance or improve the conservation area and that the conference facility would not do this. He stated that the National Planning Policy Framework requires conference centre facilities to be located in town	

centres. He also informed them that there would be 89 out of term delegate's car parking spaces available but a maximum of 270 out of term delegates that could attend raising concerns as to where they would park. He also suggested excluding distance learners from attending the Conference Centre.

Mr A Parr of the Oadby Civic Society addressed the Committee in objection to the application. He informed the Committee that the Oadby Civic Society objected on the following grounds objected to any conference centre, would have an adverse affect on the area, the application seeks a major change of use and activity contrary to the residential nature of the conservation area, unacceptable traffic and parking of cars and would bring noise and disturbance to the area. He also agreed with Mr Gasztowicz's comments. He went onto to state as that as the building already exists this is not a reason to allow Planning Permission.

A member asked if he was here to determine the original application of 2009 or the one in front of him today.

The Chair informed him that the Committee must determine as of now as if this was the first time of hearing the application as that the old decision was quashed by the Court of Appeal.

The Committee was informed by the Planning Control Manager that the reason the Council did not defend the Court of Appeal process was essentially a financial risk decision and it was not considered appropriate to risk public money.

The Planning Officer then gave the background to the report and a number of Councillors raised questions :-

A Member questioned the Planning Officer regarding the Conservation Area Supplementary Planning Document as to how the Conference Centre enhanced the environment and building design. She informed him that parts of the original building were in poor repair and the new one was materially more modern and that the building did enhance the conservation area.

A number of Members raised concerns re the number of people that could attend the Conference Centre and discussed at length car parking proposals and facilities.

The Chair adjourned the meeting for legal advice at 8:05 pm and left the Council Chamber with the Vice Chair, Director of Services and Planning Control Manager.

The meeting restarted at 8:10pm

After much discussion two motions were put forward for the vote by the Members (a further motion for the officers recommendation was also put forward but this was not seconded) :-

- 1) Accept officer's recommendations providing that a suitable legal agreement is put in place to control traffic and parking matters (substantially in the form of the previously submitted Unilateral Undertaking) and that distance learners are **excluded** from the definition of a University Delegate in Note to Applicant 1. In the event that such an agreement is not completed within an agreed timescale then planning permission be refused.
- 2) Accept officer's recommendations providing that a suitable legal agreement is put in place to control traffic and parking matters (substantially in the form of the previously submitted Unilateral Undertaking) and that distance learners are **included** in the definition of a University Delegate in Note to Applicant 1. In the event that if such an agreement is not completed within an agreed timescale then planning permission be refused.

The Planning Control Manager suggested a date timescale of up to the 31 January 2015 (or any such other time period first agreed between the applicant and the Local Planning Authority) for the agreement to be reached between the University and Council.

Upon the vote motion 1 was defeated and motion 2 favoured.

RESOLVED: That the application be permitted as set out in the report subject to a legal agreement to control traffic and parking matters (substantially in the form of the previously submitted Unilateral Undertaking) and that distance learners are **included** in the definition of a University Delegate in Note to Applicant 1. In the event that if such an agreement is not completed by the 31 January 2015 (or any such other time first agreed between the University and the Local Planning Authority) then planning permission be refused.

2. **09/00253/CON FUL Gilbert Murray Hall, 18 Manor Road Oadby, Leicestershire, LE2 2LH. Retention of demolition of part of Gilbert Murray Hall**

Mr S Gasztowicz addressed the Committee in objection to the application informing them that it was a bit pointless as the works had already been carried out to demolish the building.

The Planning Officer confirmed that the works had already been carried out.

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

Councillor Gamble left the meeting at 8:34pm

**3. 14/00396/FUL71ReptonRoad,
Wigston,Leicestershire, LE18 1GD. Erection of two
storey side and rear extensions and new pitched
roof over existing single storey extension to rear
(Application Revision D).**

The Committee gave consideration to the report and appendices of the Development Control Manager as set out in report pages 33 to 39, which should be read together with these minutes as a composite document.

Mr G Gresham addressed the Committee in objection to the application informing them that his mother resided in the neighbouring bungalow was 91 years old and disabled, and the extension severe impact on her wellbeing and the fact the bungalow has side widows and door will be overshadowed and would need to turn her lights on in the daytime. He asked that the Planning Permission should be refused.

The Planning Officer went through the report and informed Members that the extension cannot over run the boundary. Concern was raised by Members regarding the guttering to the extension and the Planning Officer said a note to applicant would be put with regard to the guttering.

A member asked if conditions could be placed with regard to the builders working hours and that building materials can be stored on site.

The Planning Control Manager stated the Council could not put these on as conditions but could put a note to applicant regarding the storage of building materials on site.

RESOLVED: That the application be permitted as set out in the report with a note to applicant regarding the storage of building materials on site.

Councillor Haq left the meeting at 9:14pm

4. 14/00407/TPO Guthlaxton College, Station Road, Wigston, Leicestershire, LE18 2DS Felling of 6 tree as set out in the report (Land at Station Road, Wigston) Tree Preservation Order 2014 (Application Revision A)

The Committee gave consideration to the report and appendices of the Development Control Manager as set out in report pages 39 to 46, which should be read together with these minutes as a composite document.

The Director of Services checked with Councillor Mrs Gore as to whether or not she had a prejudicial interest in this item as her husband was the Chair of Governors. She informed the Director that her husband was unaware of the planned tree works and was happy to stay in the room for this item.

Councillor Mrs Morris confirmed that she also had spoken to the Chair and confirmed the same as Councillor Mrs Gore.

The Planning Control Manager gave the background to the report and stated that the County Arboriculturist has been consulted and was present on the site visit and had no objections regarding the tree works. He also stated that he would suggest the removal of condition 4 of the report.

The Members discussed the trees in question and as a whole and decided that they would like condition 4 left in the report.

RESOLVED: That the application be approved subject to the conditions recommended in the report.

5. 14/00426/FUL Belvoir House, 30 Paddock Street , Wigston Leicestershire LE18 2AN. Partial demolition, extension, alterations and refurbishment of former hosiery factory to provide 26 No self contained flats with associated land scaping and boundary treatment

The Planning Officer gave the background to the report and

	<p>referred to the agenda update.</p> <p>A member asked if there would be parking for Emergency vehicles. The planning officer confirmed that there was no residents parking but that there would be parking for Emergency Services.</p> <p>RESOLVED: That the application be approved as per the report.</p>	
<p>52.</p>	<p>PLANNING ENFORCEMENT UPDATE</p> <p>The Planning Control Manager gave the background to the report and informed the Committee that there was no longer a Planning Enforcement Officer in post. He said that they were looking at getting a temporary officer in post with a view to recruiting for a permanent officer early next year. He informed them that there was still a backlog of cases.</p> <p>He also informed Members that an appeal decision had been received regarding a Carpet Warehouse in North Street Wigston (for which the Council successfully defended the appeal) and the unauthorised use should therefore cease by mid March 2015.</p> <p>RESOLVED: That the report be noted.</p>	
<p>53.</p>	<p>TREE PRESERVATION ORDER TPO/303 – Land at Station Road Wigston</p> <p>The Planning Control Manager gave the background to the report.</p> <p>In light of the earlier decision relating to this site, the Planning Control Manager recommended that the Order be confirmed with the six trees in relation to the Guthlaxton site retained.</p> <p>RESOLVED: That the Order be confirmed as per the officers recommendation with the retention of the 6 trees in the Order.</p>	

The Meeting Closed at 9:45pm