

**MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD AT THE COUNCIL OFFICES, WIGSTON ON THURSDAY 2 APRIL
2015, COMMENCING AT 7.00 P.M.**

IN ATTENDANCE:

L Bentley – Chair
L Broadley – Vice Chair

Councillors: G A Boulter, D Carter, M Charlesworth, R Eaton, J Gore, J
Kaufman, L Kaufman, H Loydall, R Morris, S Morris

Officers in Attendance: K Garcha, C Forrett, S Jinks, G Ghuman

Others in attendance: Chris Quinsee (Peter Brett Associates) David Linnitt
(Cromwell Tools), Mr R Aggarwal

Min Ref	Narrative	Officer Resp
55.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies received from Councillors F Broadley , Mrs S Haq and D Gamble</p>	
56.	<p>DECLARATIONS OF SUBSTITUTIONS FOR COMMITTEE MEMBERS</p> <p>None.</p>	
57.	<p>DECLARATIONS OF INTEREST</p> <p>Councillors Mrs H Loydall and Boulter declared they are ward councillors for the area.</p> <p>Councillors Mr and Mrs Kaufman declared she has a family connection who works for the Co-operative.</p> <p>Councillor Charlesworth declared he uses the local shops.</p> <p>Councillor Mrs S Morris declared she knew a member of the public who had come to the meeting.</p> <p>All of the Councillors confirmed they came with an open mind.</p>	
58.	<p>PETITIONS AND DEPUTATIONS</p> <p>None.</p>	

59.	<p>MINUTES OF PREVIOUS MEETING</p> <p>RESOLVED: That the minutes of the previous Committee meeting held on Thursday 5 March 2015, be taken as read, confirmed and signed.</p>	
60.	<p>REPORT OF THE DEVELOPMENT CONTROL MANAGER</p> <p>1. 14/00498/FUL – Chartwell Arms, Chartwell Drive , Wigston</p> <p>The Committee gave consideration to the Report of the Development Control Manager in Agenda Item 6 (pages 5-25) and the agenda update which was circulated at the meeting. These should be read together with these minutes as a composite document.</p> <p>Mr Quinsee presented his argument on behalf of the applicant stating that they have worked closely with Officers ensuring any issues are addressed. He advised that in line with suggestions, the positioning of the store has been amended and the proposed ATM machine has now been relocated inside the store. He emphasised that the development would improve local retail provisions, add to consumer choice and create employment opportunities.</p> <p>Mr Linnitt objected on the grounds of traffic generation, highways safety and parking space facilities. He noted that the right turning opposite the proposed store would not allow enough turning space for vehicles and suggested that it would be highly likely in peak times for there to be an issue of tailback. He stated that Chartwell Drive is used 24 Hours a day using 150 heavy goods vehicles and stated that there are over 600 migrations from Cromwell Tools alone. He concluded saying that there are many convenience stores already within a short distance from the estate.</p> <p>Mr Aggarwal also presented his objections and reiterated the above stating that the delivery trucks would have insufficient space to turn their vehicles. He further commented that there is a parking policy contravention in that there needs to be 24 car parking spaces, whereas there are only 13 on the plan. He stated that Chartwell Drive may become a bottleneck junction and that another store is neither wanted nor needed.</p> <p>The Planning Officer outlined the report and stated that suggestions made by Environmental Health and the Highways Authority have been taken into consideration and suggested that subject to the conditions set out in pages 19-23 the plan be approved.</p> <p>A Member noted that the store is described as a local store</p>	

however noted that in the report it stated that it is a “large” shop. The Planning Officer and Planning Control Manager stated that the net retail floor area of the proposed store does not constitute it being a large store and mentioned that in comparison to other convenience stores in the Borough, the proposed store is similar in size.

Another Member stated that there is space available within the Town Centre namely on Junction Road and Paddock Street but the Planning Officer confirmed that the sequential test has been submitted and a total of 11 existing sites were taken into consideration and looked at. She commented these premises were too large and insufficient for the purposes of a convenience store.

A Member commented on the 3m gap between the Public House and store stating that there is no lighting there or at the back. The Planning Officer confirmed that a condition concerning lighting and CCTV can be imposed. It was further suggested that in light of the Public House hosting events a Traffic Regulation Order (hereinafter TRO) should be in place so that the issue of parking and traffic is minimised.

Another Member asked that if a conditions are imposed, whether they would all be enforceable. The Head of Corporate Resources stated that conditions are enforceable but consideration needs to be given as to whether the same is in the public interest to enforce the same. It was also stated that the site would be over intensively used.

The Chair moved the recommendation stating that the following conditions concerning lighting, CCTV, a TRO, and opening hours be inserted. The Chair asked for an opinion on the condition of liaison between the public house and proposed store and if it is acceptable that a condition be placed on that. He further asked for an opinion on the enforceability of the conditions relating to the deliveries.

The Planning Control Manager stated that the additional conditions were reasonable and enforceable however, the enforceability of the two conditions for which an opinion was sought could not be dealt with in terms of planning.

A Member made a recommendation motion to refuse on the same grounds mentioned above against the application. This was seconded. Another Member seconded the recommendation to approve the application subject to the conditions mentioned above. It was decided that the application would be voted for twice, both for and against.

There were 4 Members in favour of refusal of the application and 7

<p>Members voted against the refusal and so the motion was defeated.</p> <p>RESOLVED That: The application be permitted subject to the officers report and with conditions relating to:</p> <ol style="list-style-type: none">1) lighting will be installed around the side (between the public house and the store) and the rear of the building.2) CCTV cameras be installed to monitor the whole area and alleyway between the pub and the store.3) A TRO is put into place (either by condition or by a S106 agreement)4) A condition conveying that the hours of opening should be 9am-11pm on Sundays and Bank Holidays. <p>There were 8 Members that voted for, 1 abstention and Cllrs Boulter and Mrs H Loydall voted against.</p>	
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Meeting Closed at 20:39pm