

Minutes of a meeting of the Development Control and Regulatory Board held at County Hall, Glenfield on Thursday, 23 May 2019.

PRESENT

Mr. J. G. Coxon CC (in the Chair)

Mr. I. E. G. Bentley CC
Mr. M. H. Charlesworth CC
Mr. B. Crooks CC
Mr. T. Gillard CC
Mr. D. Harrison CC
Mr. D. Jennings CC

Mr. J. Kaufman CC
Mr. W. Liquorish JP CC
Mrs. J. Richards CC
Mr. S. D. Sheahan CC
Mrs. M. Wright CC
Mr. M. B. Wyatt CC

1. Appointment of Chairman.

It was noted that Mr. J. G. Coxon CC had been appointed Chairman-elect at the Annual Meeting of the County Council on 15 May 2019.

RESOLVED:

That Mr. J. G. Coxon CC be appointed Chairman of the Development Control and Regulatory Board until the date of the Annual Meeting of the County Council in 2020.

2. Election of Vice Chairman.

It was proposed, and seconded "That Mr. T. Gillard CC be appointed Vice-Chairman".

RESOLVED:

That Mr. T. Gillard CC be appointed Vice-Chairman of the Development Control and Regulatory Board until the date of the Annual Meeting of the County Council in 2020.

3. Minutes of the previous meeting.

The minutes of the meeting held on 11 April 2019 were taken as read, confirmed and signed.

4. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

5. Questions asked by Members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

6. Urgent items.

There were no urgent items for consideration.

7. Declarations of interest in respect of items on the agenda.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

It was noted that all members who were also members of a Parish, Town or District Council, or Liaison Committee would have personal interests in those applications which relate to areas covered by those authorities.

No declarations were made.

8. Presentation of petitions.

The Chief Executive reported that no petitions had been received under Standing Order 36.

9. 2018/1204/06 (2018/Reg3Ma/0182/LCC): Leicestershire County Council - North and East Melton Mowbray Distributor Road, Melton Mowbray.

The Board considered a report of the Chief Executive, a copy of which, marked 'Agenda Item 9', is filed with these minutes, as is a supplementary report which provided the details of a members' site visit which took place and proposed amendments to the conditions set out in the main report.

The Director of Law and Governance reminded members that the County Council was permitted to make decisions on its own planning applications and advised that the Development Control and Regulatory Board was exercising a regulatory function. This meant that when considering the application members should treat it no differently to that of an external applicant.

In accordance with the procedures for making representations to the Board Mr. Sam Mellon (Sawgate Road, Burton Lazars) spoke as an objector, and Mr. Ian Vears (Assistant Director, Leicestershire County Council) spoke as the applicant.

A local member Mr. J. B. Rhodes CC (Belvoir division) also addressed the Board. Mr Rhodes stated that whilst he had been contacted by two local residents who objected to the proposals, the majority of local residents were in favour of the application due to the prospect of the distributor road relieving traffic congestion and poor air quality in Melton Mowbray town centre.

It was reported that another local member Mr. J.T. Orson CC (Melton Wolds division) was also in support of the application and the proposed conditions.

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1-23 as set out in the appendix to the main report, subject to the amendment to condition no. 2 and the addition of a condition no. 24 as set out in the supplementary report.

- (b) That the Board confirms (as required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) that in dealing with the application the County Council worked in a positive and proactive manner, taking account of paragraph 38 of the National Planning Policy Framework.

10. 2019/0159/04 (2018/Reg3Mi/0263/LCC: Leicestershire County Council - Construction of a standalone single storey 3 classroom and studio modular building (to west side) - Newbold Verdon Primary School, Dragon Lane, Newbold Verdon.

The Board considered a report of the Chief Executive, a copy of which, marked 'Agenda Item 10', is filed with these minutes.

The local member Mr. B. Crooks CC raised concerns regarding the safety of pedestrians crossing Dragon Lane between the school and the park and he referred to a petition containing 710 signatures which he had received from local residents which asked for a zebra crossing to be constructed outside the school.

The Board received advice from the Director of Environment and Transport in connection with the request for a zebra crossing and it was explained that for a formal zebra or puffin crossing to be justified there needed to be sufficient numbers of pedestrians crossing the road at four different times of the day. A survey undertaken in March 2019 had indicated that the numbers of pedestrians crossing were insufficient.

The Chief Executive advised that the petition had been submitted too late to be formally considered at this meeting of the Development Control and Regulatory Board and it would be more appropriate for it to be considered at the meeting of the Environment and Transport Overview and Scrutiny Committee which was taking place on 6 June 2019.

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1-14 as set out in the appendix to the report.
 - (b) That the Board confirms (as required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) that in dealing with the application the County Council worked in a positive and proactive manner, taking account of paragraph 38 of the National Planning Policy Framework.
11. 2018/0917/06 (2018/CM/0123/LCC):Tarmac Trading Ltd - Application for southern extension of sand and gravel working and restoration using site derived and imported inert material returning the land to a combination of agriculture, open water and nature conservation - Brooksby Quarry, Melton Road, Brooksby.

The Board considered a report of the Chief Executive, a copy of which, marked 'Agenda Item 11', is filed with these minutes.

In accordance with the procedures for making representations to the Board, Tiffany Lloyd (Tarmac Trading Ltd) spoke as the applicant.

It was reported that the local member Mr. J.T. Orson CC was in support of the application.

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1-45 as set out in the appendix to the report, and planning obligations for the continuation of the site liaison committee; and monitoring of the well water level and quality (including appropriate trigger levels) for the maintenance of a supply of drinking water at Brookfield, 1883 Melton Road.
- (b) That the Board confirms (as required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) that in dealing with the application the County Council worked in a positive and proactive manner, taking account of paragraph 38 of the National Planning Policy Framework.

12. 2019/CM/0048/LCC - Acorn Recyclers - Construction of paper and plastic waste storage facility - Unit 11, Wymeswold Industrial Estate, Wymeswold Lane, Burton on the Wolds.

The Board considered a report of the Chief Executive, a copy of which, marked 'Agenda Item 12', is filed with these minutes.

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1-8 as set out in the appendix to the report.
- (b) That the Board confirms (as required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) that in dealing with the application the County Council worked in a positive and proactive manner, taking account of paragraph 38 of the National Planning Policy Framework.

13. 2019/TPO/0077/LCC: Application to fell a Corsican pine tree protected by LCC Glen Parva (Leicester Road) TPO 1971 at 3 Woodbank, Glen Parva.

The Board considered a report of the Director of Environment and Transport, a copy of which, marked 'Agenda Item 13', is filed with these minutes.

In response to questions from members the Director of Environment and Transport advised that each application should be considered on its own merits and individual circumstances, and in making a decision members were not required to follow any precedent set by other similar cases.

RESOLVED:

That consent be refused to fell the Corsican pine tree T1.

REASONS FOR DECISION:

The removal of the Corsican pine tree T1 would have a detrimental impact on the amenity of the area.

14. 2019/TPO/0078/LCC: Application to fell a horse chestnut tree at 33, Westminster Drive, Burbage, protected by LCC Burbage (Coventry Road) Tree Preservation Order 1973.

The Board considered a report of the Director of Environment and Transport, a copy of which, marked 'Agenda Item 14', is filed with these minutes.

A motion was proposed and seconded that the officer's recommendation to permit the felling of the horse chestnut T1 be agreed, however the motion was not carried.

Following advice from the Director of Law and Governance a motion to refuse the felling of the horse chestnut T1 was moved and seconded.

RESOLVED:

That consent be refused to fell the horse chestnut T1.

REASONS FOR DECISION:

The removal of the horse chestnut T1 would have a detrimental impact on the amenity of the area.

2.00 - 3.20 pm
23 May 2019

CHAIRMAN