

Minutes of a meeting of the Development Control and Regulatory Board held at County Hall, Glenfield on Thursday, 12 September 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. J. Kaufman CC

Mr. W. Liquorish JP CC
Mrs. R. Page CC
Mr T. Parton CC
Mr. S. D. Sheahan CC
Mrs. M. Wright CC

34. Chairman's Announcement - Mr. D. Jennings CC

With great sadness the Chairman reported the death of David Jennings, a sitting member, and the Vice Chairman, of the County Council. Mr Jennings died on 30 August aged 72. He had been a member of the County Council since 1997 and represented the Cosby and Countesthorpe Electoral Division. Mr Jennings was a longstanding member of the Development Control and Regulatory Board and served as its Chairman between 2003 and 2011.

Members of the Board stood in silent tribute to the memory of David Jennings.

35. Minutes of the previous meeting.

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

36. Question Time.

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

37. Questions asked by Members.

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

38. Urgent items.

There were no urgent items for consideration.

39. Declarations of interest.

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 members of a Parish, Town or District Council, or Liaison Committee would have personal interests in applications which related to areas covered by those authorities. No further declarations were made.

40. Presentation of petitions.

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

41. Change to the Order of Business.

The Chairman sought and obtained the consent of Members to vary the order of business from that set out in the agenda taking agenda item 10: Fernvale County Primary School ahead of agenda item 7: Proposed addition of a public footpath at Sketchley Lane, Ratcliffe Culey.

42. 2018/2083/03 (2018/REG2Mi/0236/LCC): Leicestershire County Council - Application for a new 2-storey classroom block - Fernvale County Primary School, Somerby Road, Thurnby.

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. S. J. Galton CC addressed the Board. Mr Galton raised concerns regarding carparking at the school and the surrounding streets, both whilst the new classroom block was being constructed and whilst it was in use.

In response to a question from a member the Director of Environment and Transport confirmed that the double yellow lines on the road outside the school, which indicated no stopping, became mandatory in June 2019 and for them to be enforced the head teacher of the school would need to contact the County Council.

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1-11 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.

43. Application for a Definitive Map Modification Order - Proposed addition of a public footpath T104 at Sketchley Lane, Ratcliffe Culey (Hinckley and Bosworth District).

The Board considered a joint report of the Chief Executive and the Director of Environment and Transport, a copy of which, marked 'Agenda Item 7', is filed with these minutes.

It was noted that there was a typographical error in the report on page 20 paragraph 83 where it should have stated that Hinckley and Bosworth Borough Council had been consulted with, not Harborough District Council.

In response to a question from a member the Director of Environment and Transport stated that consideration would be given to what mitigation measures could be put in place to minimise the impact of the footpath on the properties adjacent to the footpath and protect the safety of the nearby residents.

RESOLVED:

That an Order be made under the provisions of Section 53 of the Wildlife and Countryside Act 1981 to add a Public Footpath to the Definitive Map between Sketchley Lane and Public Footpath T34 in the village of Raftcliffe Culey in the Parish of Witherley as shown on Plan No. M1109P attached as Appendix A to the report.

REASON FOR DECISION:

The application satisfies the relevant statutory criteria because the evidence shows that a Footpath subsists or is reasonably alleged to subsist along the route claimed.

44. 2019/0601/04 (2019/VOCM/0107/LCC) - Tarmac Trading Ltd - Application to vary Condition 2 of planning permission 2018/1136/04 to extend the deadline for restoration from the 4th May 2019 to 31st December 2019. Application to vary Condition 37 of planning permission 2018/1136/04 for the approved restoration plan (proposed amendment to hedge location and retrospective amendment to pond location) - Cadeby Quarry, Brascote Lane, Cadeby.

The Board considered a report of the Chief Executive, a copy of which, marked 'Agenda Item 8' is filed with these minutes.

The local member Mr. B. Crooks CC stated that on the whole he was in support of the officer's recommendation though he had concerns about the size of the stones on the field and the drainage.

In response to the local member's comments the Chief Executive provided reassurance that there was an approved surface water drainage scheme in place, and proposed condition no. 40 related to the quality of the topsoil and restricted the size of the stones.

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1-41 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.
45. 2018/1457/03 (2018/CM/0147/LCC): Tarmac Trading Ltd. - Extension of sand and gravel working with restoration to agriculture - Shawell Quarry, Gibbet Lane, Shawell.

The Board considered a report of the Chief Executive, a copy of which, marked 'Agenda Item 9', is filed with these minutes.

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1-38 as set out in the appendix to the report, and a Section 106 Planning Obligation for the monitoring of a borehole level including appropriate trigger levels for the maintenance of a supply of water to the adjacent tile works.
- (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.

46. 2019/0533/04 (2019/Reg3Ma/0110/LCC): Leicestershire County Council - Construction of an 80 Place ASD/Communication and Interaction School together with all external works - Former Newlands Primary School, Moore Road, Barwell.

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

It was reported that the local member Mrs. J. Richards CC had concerns regarding congestion on the roads around the school, on street parking issues, and the safety of children cycling to school given the traffic problems.

In response to the local member's comments the Chief Executive emphasised that the proposals for a special school would result in a reduction in the number of vehicle trips to the site and the internal layout of the site had been designed to stack vehicles at peak times. Whilst cycle stands were to be installed and some older or more independent pupils might cycle, it was expected that the majority of pupils would travel to and from the site by taxi or minibus. The demand would not be the same as for a mainstream primary or secondary school.

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1-19 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.

2.00 - 3.40 pm
12 September 2019

CHAIRMAN