

Minutes of a meeting of the Development Control and Regulatory Board held at County Hall, Glenfield on Thursday, 6 April 2023.

PRESENT

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

Mr. R. G. Allen CC	Mr. D. Harrison CC
Mr. M. H. Charlesworth CC	Mr. B. Lovegrove CC
Mrs. H. J. Fryer CC	Mr. L. Phillimore CC
Mr. D. A. Gamble CC	Mr. C. A. Smith CC
Mr. D. J. Grimley CC	

60. Minutes of the previous meeting.

The minutes of the meeting held on 12 January 2023 were taken as read, confirmed and signed.

61. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

62. Questions asked by Members.

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

63. Urgent items.

There were no urgent items for consideration.

64. 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.

Mr. C. Smith CC declared a Registerable Interest in agenda item 9: Aggregate Industries UK Ltd application in relation to Bardon Quarry as he was Chair of the Bardon Aggregates Liaison Committee. This item did not directly relate to or affect the financial or other wellbeing of that body to an extent that this prevented Mr. Smith CC from participating in the meeting.

Mr. R. Allen CC sought advice from officers as to whether he had an interest in agenda item 8: Winstay Aggregates Ltd application in relation to Bracknell Farm as he was one of the local members and had passed onto officers complaints he had received from local residents about the site. The Director of Law and Governance advised Mr. Allen CC that the Localism Act 2011 allowed councillors to play an active part in local discussions and

make representations on behalf of local residents and this did not necessarily prevent a member from sitting on the Board and making a decision in relation to the application. The Director emphasised that whilst a member could have a pre-disposition towards a particular view, they must not have pre-determined the matter and must consider the application with an open mind.

65. Presentation of petitions.

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

66. Application for a public path diversion order - proposed diversion of public footpath I63a (Part) at Ratcliffe on the Wreake.

The Board was in receipt of a report of the Director of Environment and Transport, a copy of which, marked 'Agenda Item 7', is filed with these minutes.

The Director of Environment and Transport informed members that some late representations had been received from a local resident regarding the proposed route of the footpath and more time was needed to enable the applicant and officers to consider the proposals.

RESOLVED:

That consideration of the application be deferred to a future meeting of the Board to enable the applicant to consider an amendment to their proposal.

67. Winstay Aggregates Limited: Retrospective change of use of agricultural land to soil and aggregates waste transfer centre (Sui Generis) and includes associated works and engineering options. Bracknell Farm, Leicester Road, Thurlaston.

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

In accordance with the procedures for making representations to the Board, Mr. B. Rayner (Holland Lloyd) spoke on behalf of the applicant and Mrs. Maggie Wright CC spoke as one of the local members. Mrs. Wright CC acknowledged that the location of the application site did not comply with Policy W4 and Policy W5 of the Leicestershire Minerals and Waste Local Plan but she noted that it was close to several other large proposed developments and questioned whether it was desirable to move the site closer to Hinckley and Burbage as required by Policy. Mrs Wright CC suggested that the proposed site was a good location which would result in minimal harm to the local area and she asked the Board to approve the application.

It was noted that one of the other local members Mr. N. Chapman CC had wished to speak and was in support of the comments made by Mrs. Wright CC but he was unable to attend the meeting.

Mr. R. Allen CC spoke as a Board member and as one of the local members, and he raised concerns about the location of the proposed site and the conduct of the applicant which meant they had been required to submit the application retrospectively. Mr. Allen CC stated that he supported the officer's recommendation to refuse the application and issue an enforcement notice.

The Board sought to take a vote but due to an oversight no motion for the decision was formally proposed. It was subsequently determined that the matter should be referred to the next meeting of the Board.

68. Aggregate Industries UK Ltd: Variations to conditions 4, 17, 63 and 64 of planning permission 2010/0076/07 to reprofile the northern amenity bund and northern landform; to rationalise landscape, restoration and aftercare; and submit an interim restoration scheme - Bardon Quarry, Bardon Road, Coalville.

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

RESOLVED:

That the application be permitted subject to the conditions nos 1-64 as set out in the appendix to the report and the completion of an agreement under Section 106A of the Town and Country Planning Act 1990.

69. Delegated Decisions issued 1 January 2023 to 31 March 2023.

The Board considered a report of the Chief Executive which set out the Delegated Decisions issued in the period 1 January 2023 to 31 March 2023, a copy of which, marked 'Agenda Item 10', is filed with these minutes.

RESOLVED:

That the contents of the report be noted.

70. Chairman's announcements.

The Chairman advised that the next meeting of the Board would take place on Thursday 11 May 2023 at 2.00pm.