

Minutes of a meeting of the Development Control and Regulatory Board held at County Hall, Glenfield on Thursday, 22 June 2023.

PRESENT

Mr. R. G. Allen CC  
Mr. N. D. Bannister CC  
Mr. M. H. Charlesworth CC  
Mr. D. Harrison CC

Mr. P. King CC  
Mr. L. Phillimore CC  
Mrs B. Seaton CC  
Mr. C. A. Smith CC

1. Appointment of Chairman.

It was noted that Mr. L. Phillimore CC had been appointed Chairman-elect at the Annual Meeting of the County Council on 17 May 2023.

RESOLVED:

That Mr. L. Phillimore CC be appointed Chairman of the Development Control and Regulatory Board until the date of the Annual Meeting of the County Council in 2024.

Mr. L. Phillimore CC - in the Chair.

2. Election of Deputy Chairman.

It was proposed, and seconded "That Mr. B. Lovegrove CC be appointed Deputy-Chairman".

RESOLVED:

That Mr. B. Lovegrove CC be appointed Deputy-Chairman of the Development Control and Regulatory Board until the date of the Annual Meeting of the County Council in 2024.

3. Minutes of the previous meeting.

The minutes of the meeting held on 11 May 2023 were taken as read, confirmed and signed.

4. Question Time.

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

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.

There were no urgent items for consideration.

7. 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 declarations were made.

8. Presentation of petitions.

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

9. 2022/2260/02 (2022/VOCM/0161/LCC): Variation of planning conditions no.8 and no. 10 of planning permission reference 2001/2001/2 to increase imports of gypsum and the associated numbers of HGV movements and a reduction in the permitted hours of importation - Barrow Works, Paudy Lane, Seagrave.

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

The Board was also in receipt of written representations from Karen Dalzell-Payne which objected to the application, and from Mrs. H. Fryer CC in support of the officer's recommendation to approve the application.

In accordance with the procedures for making representations to the Board, Jennifer Saunders (Saint-Gobain) spoke on behalf of the applicant, Elaine Goodwin and Elizabeth Hollingshead spoke against the proposals, and Mr. R. J. Shepherd CC spoke as the local member.

Mr. Shepherd CC raised concerns about the impact of the lorry movements on the amenity and quality of life of local residents and asked for the application to be refused.

In response to members' questions, clarification was given that the application proposed an *additional* 2 movements per hour along Paudy Lane which would comprise of one vehicle entering and then exiting the site. This would result in a total of 4 movements per hour on average.

The Board noted that condition 4(b) of planning permission 2001/2001/02 required the provision of speed cameras (within the public highway) to be privately owned and operated by the Company, though it did not specify whether these were to be average speed cameras or solar powered speed signs. However, the view of officers was that condition 4 did not meet the relevant tests for planning conditions as set out in paragraph 55 of the National Planning Policy Framework in that the imposition of the planning condition was not necessary, given that speeding vehicles outside of the site boundary were a matter for civil law and therefore not relevant to planning and neither was it

enforceable. Nevertheless, the applicant had already offered to pay for solar powered speed signs, and the applicant stated that they would also consider whether it was a possibility to implement average speed cameras on Paudy Lane. The Board asked officers to send an Informative to the applicant specifying that the offer to give consideration to further speed monitoring would be welcomed.

RESOLVED:

That the application be permitted subject to the conditions nos. 1-9 as set out in the appendix to the report and the prior completion of a legal agreement to ensure the continued imposition of lorry routing to and from the site.

10. 2023/10047/04 (2023/CM/0037/LCC): Retention of existing hardstanding, including existing and proposed landscaping - Bosworth Marina, Carlton Road, Market Bosworth.

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

It was noted that the local member Mr. B. Harrison-Rushton CC shared the same concerns about the application as those expressed by both Market Bosworth and Carlton Parish Council regarding the lack of wildlife and habitat provision, and the proposed hardstanding being inconsistent with the existing marina and landscaping.

In accordance with the procedures for making representations to the Board David Harris-Watkins (Andrew Large Surveyors Ltd) spoke on behalf of the applicant.

The applicant clarified that the hardstanding would be used for the storage of boats but that no works would take place on the boats whilst they were on the hardstanding. Instead, planning permission had been granted for a workshop which had not yet been constructed.

Reassurance was given that in addition to the original landscaping scheme for the marina, the applicant had already planted an additional hedgerow and would carry out further tree planting in the next planting season autumn/winter 2023/24.

RESOLVED:

That the application be permitted subject to the conditions nos. 1-5 as set out in the appendix to the report.

11. Leicestershire County Council Country Parks Byelaws.

The Board considered a report of the Director of Corporate Resources which provided an update on the public consultation on the byelaws and proposed amendments as a result of the consultation. A copy of the report, marked 'Agenda Item 11', is filed with these minutes.

The Board noted that paragraph 19(1) of the proposed byelaws referred to "a registered blind person" and sought clarification on whether this would result in Assistance Dogs (belonging to persons not registered blind) being prevented from entering or remaining in any of the dog prohibited area(s). In response the Board received reassurances that Assistance Dogs would be covered under where paragraph 19(1) referred to "reasonable

excuse” and therefore Assistance Dogs would not be prevented from entering the prohibited areas.

The Board was also reassured that the amendments to the proposed byelaws would still result in people being prevented from removing the eggs of fish or birds.

RESOLVED:

That the County Council be recommended to authorise the Director of Law and Governance:

- (a) to make and seal Byelaws as appropriate for each of the Country Parks listed in accordance with the details set out in the appendix to the report and to revoke all previous byelaws on those sites; and
- (b) to advertise the making of and to seek confirmation by the Secretary of State of these Byelaws.

12. Chairman's announcements.

The Chairman paid tribute to Mr. J. G. Coxon CC for his service as Chairman of the Board over the previous years.

The Chairman confirmed that the next meeting of the Board would take place on Thursday 3 August 2023 at 2.00pm.

2.00 - 3.25 pm  
22 June 2023

CHAIRMAN