



Minutes of a meeting of the Development Control and Regulatory Board held at County Hall, Glenfield on Thursday, 11 July 2019.

PRESENT

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

Mr. I. E. G. Bentley CC
Mr. G. A. Boulter CC
Mr. M. H. Charlesworth CC
Mr. T. Gillard CC
Mr. D. Harrison CC

Mr. D. Jennings CC
Mrs. J. Richards CC
Mr. S. D. Sheahan CC
Mrs. M. Wright CC
Mr. M. B. Wyatt CC

22. Minutes of the previous meeting.

The minutes of the meeting held on 13 June 2019 were taken as read, confirmed and signed.

23. Question Time.

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

24. Questions asked by Members.

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

25. Urgent items.

There were no urgent items for consideration.

26. 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.

Mr. G. A. Boulter CC declared a personal interest which may lead to bias in agenda item 9: Application by Everards Brewery Ltd to divert part of Public Footpath Z17 at the Horse and Trumpet Public House, Oadby and Wigston, as he had already submitted representations objecting to the application and he had registered to address the Board as an objector, before being asked to substitute at the meeting. Mr Boulter stated that once he had made his oral representations to the Board he would leave the room for the remainder of that agenda item.

27. Presentation of petitions.

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

28. Application by Mr. and Mrs. Allen to divert Public Bridleways D6 and D43 at Quenby Hall, in the Parish of Hungarton (Harborough District).

The Chief Executive reported that further objections had been received relating to the application which required a detailed written response therefore this agenda item was withdrawn and deferred to a future meeting of the Board in order for a full response to be provided to members.

29. Application by Dunton Bassett Parish Council to add a Public Footpath (Y108) from Ashby Parva Road to Leire Lane in the Parish of Dunton Bassett (Harborough 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 8', is filed with these minutes.

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 from Ashby Parva Road to Leire Lane in the parish of Dunton Bassett of a width of approximately 1.6 metres as shown on Plan no. M1039/R attached 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.

30. Application by Everards Brewery Ltd. to divert part of Public Footpath Z17 at the Horse and Trumpet Public House, Wigston (Oadby and Wigston Borough).

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

In accordance with section 4.14 of the Members' Code of Conduct Mr. G. A. Boulter CC addressed the Board regarding the application. Mr Boulter stated that the footpath was part of the ancient route to London and raised concerns regarding the public enjoyment of the footpath, the impact of smokers using the raised patio area and Anti-Social Behaviour. Mr Boulter asked for the knee high fence which was proposed to be erected along the edge of the footpath to be regularly maintained as in the past concrete bollards had been damaged.

(Mr Boulter CC, having declared a personal interest which might lead to bias, left the meeting during consideration of the application.)

In accordance with the procedures for making representations to the Board Mr. D. Lucas spoke as an objector and Mr. M. Roe (Marrons Planning) spoke on behalf of the applicant.

Members were of the view that the knee high fence which was proposed to be erected along the edge of the footpath should be higher and more robust so that it did not pose a danger to patrons of the public house as they left the building and could not be broken by cars colliding with it. Members were happy for the precise specifications of the fence to be agreed between the applicant and officers.

Members also suggested that the footpath could be marked with a plaque to inform the public that this was the ancient route to London.

RESOLVED:

- (a) That an Order be made to divert Public Footpath Z17 (part) at the Horse and Trumpet Public House, Wigston, as shown on the Plan no. 2490/P appended to the report.
- (b) That a fence be erected along the edge of the 2.5 metre wide proposed new footpath, of a size and design, to be agreed with the County Planning Authority, that would not constitute a tripping hazard.

REASONS FOR DECISION:

The application satisfies the relevant statutory criteria set out under the provisions of the Highways Act 1980, namely that the diversion is expedient in the interests of the person(s) stated in the order, the path will not be substantially less convenient to the public as a consequence of the diversion and, and the diversion will have no significant effect on public enjoyment of the path as a whole.

The erection of the fence is in order to prevent patrons of the Inn obstructing the footpath with their cars and the size and design should ensure the health and safety of patrons of the Inn.

(Note: Mr Boulter CC then returned to the meeting).

31. 2019/0854/07 (2019/CM/0091/LCC): Ibstock Brick Ltd. - New building for brick-drying and manufacturing equipment including new dryer flues and dump stack, also renewal and relocation of dust extractors, conveyors and waste bins, and partial demolition of existing dryer building to create a stock yard - Ellistown Brickworks, Whitehill Road, Ellistown, LE57 1HY (North West Leicestershire District).

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. D. Harrison CC stated that he welcomed the application particularly the potential drop in noise at the site of 3dB from that currently experienced.

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1 to 6 as set out in the appendix to the report;
- (c) 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.

32. Planning Applications Issued from 1 April to 30 June 2019.

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

RESOLVED:

That the report be noted.

33. Tree Preservation Orders from 1 January to 30 June 2019.

The Board considered a report of the Director of Environment and Transport, a copy of which, marked 'Agenda Item 12', is filed with these minutes.

RESOLVED:

That the report be noted.

2.00 - 3.20 pm
11 July 2019

CHAIRMAN