



Minutes of a meeting of the Development Control and Regulatory Board held at County Hall, Glenfield on Thursday, 12 March 2020.

PRESENT

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

Mr. M. H. Charlesworth CC
Mr. B. Crooks CC
Mrs. H. J. Fryer CC
Mr. T. Gillard CC
Mr. D. Harrison CC

Mr. W. Liquorish JP CC
Mr. L. Phillimore CC
Mr. T. J. Richardson CC
Mr. S. D. Sheahan CC
Mrs. M. Wright CC

90. Minutes of the previous meeting.

The minutes of the meeting held on 13 February 2020 were taken as read, confirmed and signed.

91. Question Time.

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

92. Questions asked by Members.

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

93. Urgent items.

There were no urgent items for consideration.

94. 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.

95. Presentation of petitions.

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

96. 2019/TPO/0221/LCC: Application to reduce crown of red horse chestnut T1 by 50% and reduce the height of 18 mixed conifers by 50% at the Firs, Stamford Road, Kirby Muxloe.

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

RESOLVED:

That consent be refused to crown reduce the red horse chestnut T1 by 5.0m and reduce the height of the group of 18 conifer trees G1 by 50%.

REASON FOR DECISION:

The proposed crown reduction of the red horse chestnut T1 by 5.0m and the reduction in height of the 18 conifer trees G1 by 50% would have a moderate detrimental impact on the amenity value of the area.

97. Delegated Tree Preservation Order decisions from July 2019 to December 2019.

The Board considered a report of the Director of Environment and Transport which set out the Delegated Tree Preservation Order Decisions issued in the period 1 July 2019 to 31 December 2019, a copy of which, marked 'Agenda Item 8' is filed with these minutes.

RESOLVED:

That the report be noted.

98. 2019/1418/04 (2019/VOCM/0265/LCC): Tarmac Trading Limited - Variation of Condition 7 of Planning Permission 2017/0902/04 to allow continuity of production at an important mineral extraction site within the County. Cadeby Quarry, Naneby Hall Farm, Brascote Lane, Cadeby.

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

Mr. B. Crooks CC speaking as a local member stated that given the record of Tarmac Trading Limited with regard to fulfilling their promises, he had concerns that they would not carry out the phasing of the restoration proposals within the required time period.

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1-38 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.

(Mr. B. Crooks CC voted against the motion.)

99. 2019/2291/07 (2019/VOCM/0241/LCC): Tarmac Aggregates Limited - Variation of Conditions 5 & 57 of Planning Permission No. 2007/1361/07 - Variation of the approved restoration scheme to provide an improved layout of agricultural and nature conservation areas; to reflect the updated position in terms of public rights of way; to incorporate existing crossing points over drainage ditches at the application site; and to take account of the East Midlands Gateway development which extends into the application site and supersedes the approved restoration in those areas - Lockington Quarry, Warren Lane, Lockington.

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

RESOLVED:

- (a) That the application be permitted subject to the conditions nos. 1-68 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.
100. Application to vary conditions attached to planning permission 2013/0986/07 and the associated S106 Agreement at the former Minorca Surface Mine, Bosworth Road, Swebstone

The Board considered a report of the Chief Executive, a copy of which marked 'Agenda Item 11', is filed with these minutes, as is a supplementary report which proposed amendments to the conditions set out in the main report.

The local members Mr. D. Harrison CC and Mr. S. Sheahan CC both supported the officer's recommendation.

RESOLVED:

- (a) That the application be permitted subject to:
 - (i) the conditions nos. 1-14 as set out in Appendix B to the report, subject to the amendments as set out in the supplementary report;
 - (ii) the prior completion of a S106 agreement covering aftercare and management responsibilities on the site and an amended arrangement for the retention of the restoration bond.
- (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.

101. 2020/0127/07 (2020/Reg3Mi/0005/LCC): Leicestershire County Council - Proposed Foundation block extension and increase in car parking- Orchard Primary School, 1 Grange Drive, Castle Donington.

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. 1-11 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.

102. Review of Delegated Powers to Heads of Departments.

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

The Director gave reassurance that planning applications were widely advertised to encourage the public to view the applications and submit any comments. For minor applications this included site notices and letters were sent to neighbouring properties. For major applications notices would also be placed in newspapers. It was clarified that officers use discretion and typically publicise planning applications beyond that required by law.

In response to concerns that contributions under Section 106 of the Town and Country Planning Act 1990 were not being requested and managed efficiently, reassurance was given that the County Council was strengthening resources in this area, creating additional posts and introducing new processes to ensure better engagement with district councils and to ensure more effective monitoring and enforcement.

Members welcomed that the term 'local member' would be interpreted broadly so that members representing surrounding divisions would also be able to request that the Board determine an application.

In response to a query the Director reassured Members that reference to 'objections' in the Scheme of Delegations included petitions and that each signature on the petition would count as one objection. It was proposed and seconded that the Scheme of Delegations be amended to make this clear.

RESOLVED:

That the revised delegations as set out in the appendix to the report be approved, subject to amendment of Clause F(iii) so that it reads:

- “(iii) more than four objections (either individually or via a petition) from local residents and/or businesses, raising material planning considerations, have been received during the statutory consultation period. In the event of an

objection being received which appears not to relate to a material planning consideration, the Director of Law and Governance after consultation with the Chairman and Spokespersons of the Development Control and Regulatory Board shall determine its relevance and whether it would be appropriate to refer the matter for determination by the Board;”

2.00 - 3.20 pm
12 March 2020

CHAIRMAN

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