

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE MEETING OF THE PLANNING COMMITTEE

Held at The Council Chamber,
The Symington Building, Adam & Eve Street,
Market Harborough, LE16 7AG

On 24th May 2022
commencing at 6.30pm

Present:

Councillors: Bannister (Chairman of the Council in the Chair for Agenda Item 1)
Champion (Chairman for Agenda Items 2 onwards)

Mrs Ackerley, Burrell, Frenchman, Galton, James, Liquorish, Modha and Nunn.

Officers present: D. Atkinson, E. Baumber, A. Eastwood, S. Green, N. Kwasa, N. Parry and C. Zacharia.

Also present: D. Carter-Hughes, Pathfinder Legal Services Ltd

1. Election of the Chairman for the Year 2022/23

The Chairman of the Council opened the meeting. He noted that the first item on the agenda was to Elect a Chairman of the Planning Committee for the municipal year 2022/2023. He invited nominations and Councillor Modha nominated Councillor Barry Champion. This was seconded by Councillor Frenchman and there being no other nominations, Councillor Champion was duly elected.

Councillor Champion assumed the Chair.

2. Appointment of the Vice Chairman for the Year 2022/23

The Chairman nominated Councillor Modha as Vice-Chairman to the Planning Committee for the municipal year 2022/23. This was seconded by Councillor Liquorish and, there being no other nominations, Councillor Modha was duly appointed.

The Chairman then welcomed everyone to the meeting and highlighted the procedures for the smooth running of the meeting.

3. APOLOGIES FOR ABSENCE AND NOTIFICATIONS OF SUBSTITUTIONS

Apologies were received from Councillor Bilbie who was substituted by Councillor Nunn.

4. DECLARATIONS OF MEMBERS' INTERESTS.

Councillor Champion declared an interest in Agenda Item 8 - Review into the Council's Development Management Service handling into the implementation of the approved landscape plan, at Hursley Park, Great Bowden, in that the development in question is within his Ward and he has been involved in discussions around the issues highlighted in the report. This would not impact his involvement in the debate or consideration of the recommendations.

5. MINUTES

RESOLVED that the minutes of the Planning Committee meeting held on 5th April 2022 be approved and signed by the Chairman as a true record.

6. REFERRALS UP TO COUNCIL BY THE PLANNING COMMITTEE

There were none.

7. QUESTIONS AND PETITIONS SUBMITTED BY THE PUBLIC

There were none.

8. REVIEW INTO THE COUNCIL'S DEVELOPMENT MANAGEMENT SERVICE HANDLING INTO THE IMPLEMENTATION OF THE APPROVED LANDSCAPE PLAN, AT HURSLEY PARK, GREAT BOWDEN

The Director, Planning and Regeneration presented the report the purpose of which was to deliver the findings of the review of the Development Management service's handling into the implementation of the approved landscape plan (and any approved associated Landscape Management Plan (LMP)) relating to the Mulberry Homes development at Hursley Park, Great Bowden: planning reference 15/01801/OUT & 16/02083/REM, with specific reference to the agreed Terms of Reference as agreed in the Committee Report presented to the Planning Committee on the 5 April 2022. A copy of the full report was included in Appendix 1.

A submission was heard from Councillor Knowles, Ward Member for Market Harborough Great Bowden and Arden.

Members had the opportunity to question the officers. During the discussion, there were technical issues with the microphones and therefore the Chairman MOVED to ADJOURN the meeting for a short period while these issues were addressed. The meeting resumed at 7.39pm.

Following the discussion, the Chairman MOVED to include a reference to Variations to Conditions (VAC) in recommendation 2.3, and to add three additional recommendations to the report relating to items for the Scrutiny Commission's Workplan. It was noted that, following a review by Scrutiny, any potential changes to the Constitution would then be referred from the relevant Scrutiny Panel to the Constitutional Review Committee, and subsequently Council for approval.

The amended and additional recommendations were taken to the vote alongside the recommendations as noted in the report and it was therefore;

RESOLVED;

That the Planning Committee AGREE the recommendations 2.1 – 2.4 as noted in the report, as well as the reference to VAC in 2.3 and additional recommendations 2.5 – 2.7 as detailed below;

2.1 That the Planning Committee considers the report and the specific recommendations 2.2 – 2.4 below.

2.2 That each planning application case officer report concerning major development proposals includes a section in the report with the heading; 'Equality Implications (Equality Act 2010)' (or similar), in order to demonstrate that the process of considering the Public Sector Equality Duty (PSED) is set out in those reports in a transparent and public manner.

2.3 That the Council's website relating to, 'material and non-material amendments including Variations to Conditions (VAC)' be reviewed and updated as necessary to ensure this reflects the legal position set out in law.

2.4 That all procedures and training be put in place, where necessary, to ensure all matters associated with applications for planning permissions and other permissions are fully recorded on the Council's IDOX/Uniform system.

2.5 That the Planning Committee request the Scrutiny Commission explore how further oversight may be given to the Chairman and/or the Planning Committee regarding instances when changes are made to conditions on applications previously agreed by the Planning Committee, and ask for the policy on enforcement to be reviewed.

2.6 That the Planning Committee request the Scrutiny Commission consider the need to review the circumstances in which the Council might adopt large, significant open spaces.

2.7 That the Planning Committee request the Scrutiny Commission explore the possibility of implementing a compliance check on the standards of large, significant open spaces for which responsibility is due to be handed over to a Residents Management Committee, before the large, significant open space concerned is signed off by the Council and the Residents Management Committee concerned takes responsibility for it.

9. TO CONSIDER APPLICATIONS FOR DEVELOPMENT PERMISSION

- i. The Senior Planning Officer introduced the report in respect of application 21/02148/FUL, 2 Debdale Lane, Smeeton Westerby, Leicestershire, LE8 0QD - *Conversion of an agricultural building into one residential dwelling*. A representation was heard in support of the application from the Applicant's Agent, James Fulton. A written submission from the Ward Member Councillor Phil King, in objection to the application, was presented by the Chairman. The Committee then had the opportunity to question the speaker and Officers. Councillor Frenchman MOVED to REFUSE the application, contrary to Officer Recommendations, for the following reason;

The location for the proposal is contrary to the aims of the Local Plan and the Spatial Strategy which seek to direct development towards the most appropriate and sustainable locations where there are a range of services and good public transport links, and specifically contrary to policy GD4 of the Local Plan as the proposed dwelling does not meet the criteria for dwellings in the countryside. The site benefits from a Class Q prior approval consent, however, this material consideration does not outweigh conflict with the policies of the development plan.

This was seconded by Councillor Nunn and following the vote it was;

RESOLVED that the application be REFUSED for the reason noted above.

- ii. The Senior Planning Officer introduced the report in respect of application 22/00236/FUL, 32A Clarke Street, Market Harborough - *Proposed conversion of existing outbuilding to form a new dwelling*. She directed Members to the Supplementary Information. Representations were heard in objection to the application from Matt Collerson, Pauline Andrews and Ward Member Councillor Barbara Johnson. The Committee then had the opportunity to question the speakers and Officers. Councillor Frenchman MOVED to REFUSE the application, contrary to Officer Recommendations, for the following reasons;
1. The proposal, by virtue of its design would create a dwelling that is out of keeping with the existing street scene, and does not result in good design. The proposal therefore conflicts with Policy GD8 of the Harborough Local

Plan, Harborough District Council Supplementary Planning Guidance 2021, and Section 12 of the NPPF 2021.

2. The proposal would cause unacceptable harm to the amenity of neighbouring properties Number 32 and Number 34 Clarke Street due to overlooking/loss of privacy by virtue of the location of the front door and windows. The proposal would be an unneighbourly form of development, conflicting with Policy GD8 of the Harborough Local Plan, Harborough District Council Supplementary Design Guidance and Section 12 of the NPPF 2021.

This was seconded by Councillor Ackerley and following the vote it was;

RESOLVED that the application be REFUSED for the reasons noted above.

- iii. The Member call-in for the application 22/00679/VAC, Land West of Welham Lane, Great Bowden, was withdrawn prior to the meeting.
- iv. The Area Planning Officer introduced the report in respect of application 22/00802/FUL, Harborough Town Football Club, Northampton Road, Market Harborough - *Installation of a 100 seater covered grandstand with 3 accessible wheelchair spaces, relocation of existing grandstand, and siting of a toilet block.* Following consideration of the report it was;

RESOLVED that Planning Permission is APPROVED for the reasons set out in this Committee report and subject to the Planning Conditions recommended in Appendix A.

- v. The Development Planning Manager introduced the report in respect of application 22/00833/CLU, 4 Trefoil Close, Broughton Astley - *Certificate of Lawfulness of Proposed Development for the erection of a single storey rear extension.* The Committee had the opportunity to question the Officers and following consideration of the report it was;

RESOLVED that the operations described in the First Schedule hereto, in respect of the land specified in the Second Schedule hereto and outlined on the Site Location Plan (Dated 05/04/2022), in the application for this Certificate would be lawful if begun at the time of the application within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:

The information and plans provided [Existing and Proposed Floor Plans and Elevations (Dated 12/04/2022) demonstrate that the proposed operations described in the application accord with The Town and Country Planning (General Permitted Development) (England) Order 2015

(as amended), Schedule 2, Part 1, Classes A and C. Therefore, the proposed operations are Permitted Development.

First Schedule

The erection of a single storey rear extension

Second Schedule

4 Trefoil Close

Broughton Astley

Leicestershire

LE9 6YZ.

- vi. The application 22/00795/FUL, Firs Farm, Main Street, Illston On The Hill, was WITHDRAWN prior to the meeting.

10. ANY URGENT BUSINESS

There was none.

The Meeting closed at 8.56pm.