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Agenda and Minutes

Cabinet
Tuesday, 26 April 2005 2.30 pm

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Venue: Guthlaxton Committee Room, County Hall, Glenfield
Contact: Mr R P Steffens (Tel. 0116 265 6027) rsteffens@leics.gov.uk

Items

No. Item

Apologies:

The Chairman reported apologies for absence on behalf of Mr. H. Barber, CC.

1040. Assistant Director of Education

Minutes:

The Chairman welcomed the new Assistant Director of Education (Planning and Resources) Mrs. Sharon Scott, to her first meeting of the Cabinet.

1041. Minutes of the Meeting held on 5 April 2005

Minutes:

The minutes of the meeting held on 5 April, 2005, were taken as read, confirmed and signed.

1042. To Advise of any other Items which the Chairman has Decided to take as Urgent on the Agenda

Minutes:

The Chairman advised the Cabinet that he had agreed to consider two urgent items:

A report of the Chief Executive and Director of Community Services concerning consultation on a planning application on land at Wistow Road/Warwick Road, Kibworth.

An exempt report of the Director of Education in respect of the proposed removal of delegation of school budget.

(These matters were considered under Minutes 1050 and 1060 respectively).

1043. Declarations of Interest in Respect of Items on the Agenda

Minutes:

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Dr. R.K.A. Feltham, CC declared a personal and prejudicial interest in the urgent report of the Chief Executive and Director of Community

Minutes:

Consideration of this matter was deferred by the Development Control and Regulatory Board at its meeting on 21 April 2005. It was therefore withdrawn from the agenda.

1049. Consultation on Planning Application 2005/0474/02: Metropolitan Housing Trust - Residential Development of Richard Roberts Fabrics Ltd., Clarence Street, Loughborough PDF 17 K

Additional documents:

- Consultation on Planning Application - Report to Development Control Regulatory Board PDF 1 M

Minutes:

The Cabinet considered a joint report of the Chief Executive and Director of Community Services concerning a consultation on a planning application which had been considered by the Development Control and Regulatory Board on 21 April 2005. A copy of the report marked 'F' is filed with these minutes.

RESOLVED:

That Charnwood Borough Council be advised that the County Planning Authority is not satisfied that the proposal is acceptable, on the balance of National Policy Guidance, approved Structure Plan policies, and the adopted Local Plan. There does not appear to be any current overriding need for additional residential development to fulfil strategic housing requirements, and the allocation of the site should be determined through the review of the local development framework.

The Borough Council needs to be satisfied that there is adequate justification for allowing the residential development of this site, in the context of the criteria in Employment Policy 5 of the Structure Plan and Policy E/8 of the adopted Local Plan. The land and/or buildings could still be made suitable for some alternative employment use, even if this appears to have limited potential and viability. The possible benefits of the proposals are not convincing.

The Borough Council might consider it appropriate to explore the possibility of a mixed form of commercial and residential development of the application site, that achieves strategic policy objectives.

If allowed, provision should be included in any consent for development to secure appropriate additional contributions towards the cost of community facilities arising from the development itself.

Whilst no strategic highway objections to the proposals have been identified, a detailed assessment of the traffic implications resulting from the development should be undertaken prior to the granting of planning permission.

REASON FOR DECISION:

To comply with Regulations issued under the Local Government Act 2000. Reasons for the decision on this particular application are set out in the appendix to the report.

1050. Consultation on Planning Applications 2004/0932/03 and



2004/0319/03: David Wilson Estates & Messrs. D.B. & J.F. Briggs - Residential Development and Associated Construction Works - Land at Wistow Road/Warwick Road, Kibworth.

Minutes:

(Dr. R.K.A. Feltham, CC had declared a personal and prejudicial interest in this matter and withdrew from the meeting).

Consideration was given to an urgent joint report of the Chief Executive and Director of Community Services concerning consultation on two planning applications which had been considered as an urgent item at a meeting of the Development Control and Regulatory Board on 21 April 2005. A copy of the report is filed with these minutes. The reason for urgency was that the applications had not been formally considered by Members and it was considered appropriate that they should do so prior to the start of the Public Inquiry into housing proposals at Kibworth and Great Glen, which commenced on 10 May, 2005. It was also necessary to authorise the County Solicitor to enter into negotiations concerning developer contributions in advance of the Inquiry.

RESOLVED:

- (i) That the County Solicitor be authorised (on advice from the relevant Chief Officers) to negotiate and conclude any legal agreement needed to ensure that the developers at Kibworth/Great Glen provide the appropriate developer contributions in the event that any of the appeals is allowed;
- (ii) That Harborough District Council be advised that the County Planning Authority objects to the proposed development of land for residential purposes for the following reasons:

Although there would appear to be a forecast shortfall of 70 dwellings highlighted in the revised draft Supplementary Planning Guidance on the Monitoring of Housing Land prepared by Harborough District Council which the release of this land would resolve it is considered that:

- (a) The forecasts on which the SPG are based are not exact, and there is a margin of error, depending on the methodology and assumptions employed;
- (b) The Joint Structure Plan housing requirement is not exact, and the forecast shortfall of 70 dwellings would not raise any concerns;
- (c) Given the margins of error, and the small size of the shortfall, it is important that actions to address the shortfall are proportionate;
- (d) If the site at Kibworth were to be built, there would still be a requirement for the District to find alternative sites that would be more consistent with the strategy of the Joint Structure Plan through the review of the local plan;
- (e) There is the opportunity under the new planning system for the District Council to prepare a local development document to address housing in the CLPA as a priority, without having to prepare a whole plan;
- (f) This document would need to review the unimplemented local plan allocations alongside any

additional new sites required;

- (g) Most of any new greenfield housing land identified in the local development document would need to be located on strategic sites adjoining the Leicester and Leicestershire Urban Area, and phased to the last 5 years of the Plan period, i.e. development could not take place at such sites before 2011 and only then if needed;
- (h) Meanwhile, other smaller greenfield sites would not need to be phased, and would help to reduce the shortfall until the strategic sites are developed.

If and when the site is ultimately released for housing development there would be a requirement under the developer contributions procedure for the developers of the site to provide various highway and transportation facilities to be identified separately by the Director of Highways, Transportation and Waste Management; a contribution to the improvement of appropriate primary and secondary schools in the district and to provide for improvements to the stock of books for the library service.

REASON FOR DECISION:

To comply with Regulations issued under the Local Government Act 2000. Reasons for the decision on this particular application are set out in the appendix to the report.

(Dr. Feltham returned to the meeting on conclusion of discussion on this item).

1051. Response to 'Smart Growth: the Midlands Way', A Report for Consultation PDF 55 K

Minutes:

The Cabinet considered a report of the Chief Executive concerning a response to the East Midlands Development Agency on a document 'Smart Growth: the Midlands Way'. A copy of the report marked 'G' is filed with these minutes.

RESOLVED:

That the comments set out in paragraphs 17 to 25 of the report of the Chief Executive be approved for submission to *emda* as the County Council's response to the 'Smart Growth: the Midlands Way' document.

REASON FOR DECISION:

To ensure that the County Council makes an appropriate input to an initiative which aims to accelerate the delivery of existing regional policy in the East and West Midlands.

1052. Report of the Five-Member Review Panel - Working with Town and Parish Councils PDF 99 K

(Attached is a report of the Five Member Panel. The report is due to be considered by the Scrutiny Commission on 20th April 2005. The decision of the Commission will be reported at the meeting).