

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 Tuesday 5th April 2022
commencing at 6.30pm

Present:

Councillors: Mrs Ackerley, Burrell, Champion (Chairman), Frenchman, Galton,
James, Liquorish, Modha and Nunn.

Officers present: D. Atkinson, E. Baumber, A. Eastwood, J. Felton, S. Green, N.
Kwasa, M. Patterson, and C. Zacharia (remote).

Also present: J. Walker (Assistant Director, Development & Growth, Highways &
Transport, Leicestershire County Council).

1. INTRODUCTIONS.

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

2. APOLOGIES FOR ABSENCE AND NOTIFICATIONS OF SUBSTITUTIONS

There were none.

3. DECLARATIONS OF MEMBERS' INTERESTS.

Councillor Liquorish declared an interest in application 21/01320/OUT - 33 Dunton Road, Broughton Astley, in that in his role as County Councillor he has been involved in several issues along that stretch of road. He noted that he would withdraw from the meeting at the appropriate time and would not take part in the discussion or vote.

Councillor Mrs Ackerley declared an interest in application 21/02020/VAC - Allotments, De Verdon Road, Lutterworth in that she is a Member of Lutterworth Town Council,

which had provided comments on the application. She noted that as she does not take part in any planning related matters as part of the Town Council, this would not affect her ability to determine the application with an open mind. She also declared an interest in the officer report on the Revocation of Hazardous Substance Consent Unit 3320 Magna Park Lutterworth, in that she is Chairman of the Lutterworth Area Community Fund who receive funding from GLP, the developers of Magna Park. She noted she would not take part in the discussion or vote.

4. MINUTES

RESOLVED that the minutes of the Planning Committee meeting held on 15th February 2022 be approved and signed by the Chairman as a true record.

5. REFERRALS UP TO COUNCIL BY THE PLANNING COMMITTEE

There were none.

6. QUESTIONS AND PETITIONS SUBMITTED BY THE PUBLIC

There were none.

7. HURSLEY PARK TERMS OF REFERENCE REPORT

The report was presented by the Director, Planning and Regeneration who directed the Committee to the revised Terms of Reference in the Supplementary Information. The purpose of the report was to request the Committee adopt the revised Terms of Reference for the review of the implementation of the Local Planning Authority (LPA) 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. The Chairman noted that residents have had the opportunity to provide input and Ward Members were happy with the revised Terms of Reference. A representation was heard from Councillor Knowles, as Ward Councillor, who supported the extended terms of reference and the agreement to bring a report on the review back to the Planning Committee. Members had the opportunity to question the officer following the discussion it was,

RESOLVED;

1) That Planning Committee adopt the revised Terms of Reference set out at paragraph 4.1 in the Supplementary Information to the report to establish the extent to which the approved detailed landscape plans for Hursley Park have been implemented.

2) That a report arising from the review of the implementation of the approved landscape plans at Hursley Park, Great Bowden be brought to Planning Committee for consideration as soon as possible.

8. TO CONSIDER APPLICATIONS FOR DEVELOPMENT PERMISSION

i. The Strategic Growth (Development Management) Team Leader introduced the report in respect of application 21/01600/OUT, Land Adj HM Prison, Welland Avenue, Gartree, Lubenham - *Outline Planning Application with all matters reserved except for means of access and scale for the construction of a new Category B prison of up to 82,555sqm within a secure perimeter fence together with access, parking, landscaping and associated engineering works.* He directed Members to the Supplementary Information. Representations were heard in objection to the application from John Martin, Francesca Broadfoot (Gartree Action Group) and Adrian Carr and in support of the application from the Applicant's Agent, Katherine Morgan, Tim Coles of Atkins in relation to Highways matters and Robin Seaton representing the Applicant. Further representations were heard from Alex Munro on behalf of Lubenham, Foxton, East Farndon and Great Bowden Parish Councils, Gumley and Laughton Parish Meetings and Gartree Action Group, Diana Cook (Lubenham Parish Council), and Councillor Phil Knowles (Market Harborough Great Bowden and Arden Ward), Councillor Phil King (Kibworths Ward and Leader of the Council) and Ward Member, Councillor Dr Bremner. The Committee then had the opportunity to question the speakers and Officers. Following the discussion, Councillor Frenchman MOVED to REFUSE the application, contrary to Officer Recommendations, for the following reason;

1.The proposed development is unsustainable by virtue of its location and by virtue of its size, scale and design would have a harmful impact on the character and appearance of the countryside and Area of Separation. The benefits associated with the proposed development would not outweigh this harm and the proposal is therefore contrary to Harborough Local Plan policies GD1 & GD3 and Lubenham Neighbourhood Plan policies LNP01, LNP16 and LNP19.

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

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

The Chairman then ADJOURNED the meeting for a short comfort break. The meeting restarted at 8.44pm.

ii. The Development Planning Manager introduced the report in respect of application 21/02032/FUL, 1 - 3 Oswin Cottages, Town Street, Burton Overy - *Subdivision of dwelling to recreate 3 dwellings*. Representations were heard in support of the application from Grant Cotton and objection to the application from Parish Council representative Robert Warwick. The Committee then had the opportunity to question the speakers and Officers. Following consideration of the report it was;

RESOLVED that Planning Permission is APPROVED, for the reasons set out in the report and subject to the Conditions and Informative Notes proposed in Appendix A.

Councillor Liquorish then left the meeting room.

iii. The Development Planning Manager introduced the report in respect of application 21/01320/OUT, 33 Dunton Road, Broughton Astley - *Outline application for the demolition of existing dwelling and commercial buildings and for the erection of seven dwellings (access to be considered)*. Representations were heard in objection to the application from Malcolm Humphrey and Carl Dryden, and in support of the application from the Applicant's Agent, Nick Cox. The Committee then had the opportunity to question the Speakers and Officers. The Committee requested that the Applicant's attention is drawn to the need to consider no bigger than 2 storey houses adjacent to Thorneycroft Close to protect residential amenity of those neighbouring properties.

Following consideration of the report it was;

RESOLVED that Planning Permission is APPROVED subject to the conditions set out in Appendix A.

Councillor Liquorish re-entered the meeting room. Councillor Champion then noted that as it was nearing three hours since the commencement of the meeting, under Procedure Rule 5.2 in the Council's Procedure Rules, Part 4 of the Council's Constitution, the Committee were required to vote for the meeting to continue. He therefore MOVED that the meeting be continued to finish the business as noted on the agenda. This was seconded by Councillor Burrell and following the vote it was;

RESOLVED that the meeting be extended.

iv. The Development Planning Manager introduced the report in respect of application 21/02155/REM, Land to The West Of Leicester Road, Market Harborough - *Erection of 315 dwellings and associated garage and parking (Reserved matters of 13/01483/OUT) (revised scheme of 17/01966/REM, including details of appearance, landscaping and layout for substitution of plot numbers 201-221, 223, 225-233, 235-249 in relation to Phase 2 only)*. The Committee had the opportunity to question the Officers and following consideration of the report it was;

RESOLVED that Planning Permission is APPROVED for the reasons set out in this report and subject to:

- **The Planning Conditions and Informative Note detailed in Appendix A.**

v. The Senior Planning Officer introduced the report in respect of application 21/02020/VAC, Allotments, De Verdon Road, Lutterworth - *Erection of 72 dwellings to include means of access from Coventry Road, public open space and all other ancillary works (variation of Conditions 2 (approved plans) and 21 (FRA compliance) of 19/00853/FUL to facilitate the delivery of the scheme as 100% affordable homes)*. Representations were heard in support of the application from the Applicant's Agent, Jake Stontiford. The Committee then had the opportunity to question the speaker and Officers. Following consideration of the report it was;

RESOLVED that Planning Permission is APPROVED, for the reasons set out in the report.

vi. The Strategic Growth (Development Management) Team Leader introduced the report in respect of application 21/02182/REM, Land South Of, Kettering Road, Market Harborough - *Erection of 123 dwellings and associated highways, landscaping, public open space, and pedestrian links (Phase 2 of the development, as shown on the phasing plan approved under 21/02259/PCD) (Reserved Matters of 19/01989/VAC including details of access, appearance, landscaping, layout and scale)*. Representations were heard in support of the application from the Applicant's Agent, Carl Stott. The Committee then had the opportunity to question the speaker and Officers. Following consideration of the report it was;

RESOLVED that Planning Permission is APPROVED, for the reasons set out in the report, subject to conditions.

vii. Prior to the meeting, application 22/00566/VAC, 1 Angel Court, High Street, Market Harborough had been WITHDRAWN at the request of the Applicant.

viii. The Development Planning Manager introduced the report in respect of application 21/01831/FUL, Land Opposite Wild Meadow, Bowden Lane, Welham, Leicestershire - *Change of use of land for siting of 1 mobile home to provide 1 no. Gypsy and Traveller pitch*. He directed Members to the Supplementary Information. Representations were heard in support of the application from the Applicant, Reuben Arrowsmith. The Committee then had the opportunity to question the speaker and Officers. Following consideration of the report it was;

RESOLVED that Planning permission is REFUSED for the following reasons.

1. The development falls within a flood risk vulnerability category (highly vulnerable) that is inappropriate to the Flood Zone in which the application site is located. Furthermore, the proposed flood risk mitigation measures are inadequate because they will not make the development resilient to the flood levels for the 1% plus 35% climate change level. The application is therefore contrary to Harborough Local Plan Policy CC3, the National Planning Policy Framework (2021) and National Planning Practice Guidance.

2. The site due to its remote location from services and facilities and walking distance in excess of 1km along an unlit, unclassified single-track road, would result in a high likelihood in reliance on the private motor vehicle. The proposed development would not therefore constitute sustainable development, contrary to the Development Plan policies GD1 and H6, Planning Policy for Traveller Sites (PPTS) (2015) read in conjunction with the National Planning Policy Framework (2021) and National Planning Practice Guidance.

viii. The Strategic Growth (Development Management) Team Leader introduced the report in respect of application 21/01832/FUL, Land Opposite Wild Meadow, Bowden Lane, Welham, Leicestershire - *Change of use of land for siting of 1 mobile home to provide 1 no. Gypsy and Traveller pitch*. He directed Members to the Supplementary Information. The Committee had the opportunity to question the Officers and following consideration of the report it was;

RESOLVED that Planning permission is REFUSED for the following reasons.

1 The development falls within a flood risk vulnerability category (highly vulnerable) that is inappropriate to the Flood Zone in which the application site is located. Furthermore, the proposed flood risk mitigation measures are inadequate because they will not make the development resilient to the flood levels for the 1% plus 35% climate change level. The application is therefore contrary to Harborough Local Plan Policy CC3, the National Planning Policy Framework (2021) and National Planning Practice Guidance.

2 The site due to its remote location from services and facilities and walking distance in excess of 1km along an unlit, unclassified single-track road, would result in a high likelihood in reliance on the private motor vehicle. The proposed development would not therefore constitute sustainable development, contrary to the Development Plan policies GD1 and H6, Planning Policy for Traveller Sites (PPTS) (2015) read in conjunction with the National Planning Policy Framework (2021) and National Planning Practice Guidance.

9. REVOCATION OF HAZARDOUS SUBSTANCE CONSENT UNIT 3320 MAGNA PARK LUTTERWORTH

The Development Planning Manager introduced the report which asked the Committee to consider a request from VWR International Limited (VWR) to revoke the

Hazardous Substances Consent the Council issued in August 2001 at Unit 3320, Hunter boulevard, Magna Park. The report outlined the reasons for revoking this consent and the procedures involved in doing this. He noted that under the revised procedure, as the company had not stored these substances for five years under there was no scope for compensation, and therefore there was low risk to the Council. Members had the opportunity to question the officer and it was;

RESOLVED that the Committee make a revocation order under s14(2) of the Planning (Hazardous Substances) Act 1990, i.e. revoking the Hazardous Substances Consent ref 01/00459/HAZ for at Unit 3320, Hunter Boulevard, Magna Park, subject to its confirmation by the Secretary of State under Section 15 of the Act.

10. ANY URGENT BUSINESS

There was none.

The Meeting closed at 10.03pm.