

## **PLANNING COMMITTEE**

Minutes of a meeting held at the Council Offices, Narborough

**THURSDAY, 1 JUNE 2023**

Present:-

Cllr. Lee Breckon JP (Chairman)  
Cllr. Mike Shirley (Vice-Chairman)

Cllr. Cheryl Cashmore  
Cllr. Tony Deakin

Cllr. Richard Holdridge  
Cllr. Dillan Shikotra

Cllr. Bev Welsh  
Cllr. Neil Wright

### **Officers present:-**

Cat Hartley	- Planning & Strategic Growth Group Manager
Ian Davies	- Development Services Team Leader
Stephen Dukes	- Development Services Team Leader
Matthew McConville	- Major Schemes Officer
Charles Ebdon	- Senior Planning Officer
Charlene Hurd	- Senior Planning Officer
Sandeep Tiensa	- Senior Democratic Services & Scrutiny Officer
Isaac Thomas	- Democracy Support Officer

### **Apologies:-**

Cllr. Bob Waterton

### **25. DISCLOSURES OF INTEREST**

No disclosures were received.

### **26. MINUTES**

The minutes of the meeting held on 6 April 2023 as circulated, were approved and signed as a correct record.

## **27. APPLICATIONS FOR DETERMINATION**

Considered – Report of the Development Services Team Leader, presented by the Senior Planning Officer.

**21/0739/OUT**

**Mr H Nanuwa-Singh**

**Outline planning application for the demolition of an existing building to be replaced with a multi-storey (up to three storey) building to accommodate 7 apartments (4 No. 1 bedroom and 3 No. 2 bedroom) with associated access and parking. Including the replacement and provision of up to 316 sq.m of retail space at ground floor (use class E - Commercial, Business and Service) (Access, Layout and Scale to be determined - All other matters reserved).**

**166-172 Little Glen Road, Glen Parva, Leicestershire**

Public Speaking

Pursuant to Part 4, Section 7 of the Council's Constitution in relation to public rights of participation in planning applications, the Chairman allowed the following to give a 5 minute presentation:

- Anthony Day (Agent)

### **DECISION**

**THAT APPLICATION 21/0739/OUT BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Statutory outline time limit.
2. Reserved Matters details to be submitted.
3. Accordance with the approved plans.
4. Details of all external materials to be agreed.
5. Finished floor levels to be submitted and agreed and implemented.
6. Use restricted to 316 sq.m of ground floor retail use (Use Class E(a)) only.
7. Use restricted to C3 use, and 7 flats, at first and second floor only.
8. Approved mix.
9. Retail use at ground floor restricted to hours of 7.00 am to 5.00 pm Mondays to Fridays inclusive and 7.30 am to 2.00 pm Saturdays, and at no time on Sundays or public holidays.
10. No deliveries to be taken or dispatched from the site outside the hours of 07:30 am – 18:00 pm Mondays to Fridays inclusive and 08:00 am and 15:00 pm Saturdays and at no time on Sundays on public holidays.
11. No subdivision of store with the further granting of planning permission.
12. Prior to first occupation, the access arrangements shall be implemented

- and retained in accordance with the approved plans.
13. Prior to first occupation, the parking and turning facilities shall be surfaced and laid out in a hard bound material and retained in accordance with the approved plans.
  14. No additional access gates, barriers, bollards, chains or other such obstructions shall be erected without prior approval.
  15. Demolition and Construction Management Plan to be submitted to and agreed and adhered to during development.
  16. Prior to commencement debris to be removed from the site.
  17. No storage of goods, equipment or materials to take place outside the building, except in previously agreed screened areas.
  18. Details of external plant machinery to be submitted and agreed.
  19. Details of external lighting and CCTV scheme to be submitted and agreed.
  20. Unidentified contamination remediation strategy to be agreed.
  21. A waste collection strategy to be submitted and agreed as part of any Reserved Matters application.
  22. Surface water drainage scheme to be submitted and agreed and implemented.
  23. Details for the long-term management and maintenance of the surface water drainage scheme to be submitted and agreed and implemented.
  24. Drainage to be provided within the site such that surface water does not drain into the public highway including private access drives.
  25. Windows with first floor communal corridors shall be set at 1.7m above internal ground floor levels.
  26. Roof lights to be set to 1.7m above internal ground floor.

Condition 6 as stated in the report to the Committee was removed as it replicated the controls of the retail use class imposed via condition 7.

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Considered – Report of the Development Services Team Leader, presented by the Major Schemes Officer.

**23/0136/RM**  
**Davidsons Developments Ltd**  
**Reserved Matters application for the erection of 163 dwellings (details of appearance, landscaping, layout and scale)**  
**Parcel R6(4) and R6(6) Dee Way / Laxford Lane, Lubbesthorpe**

## **DECISION**

**THAT APPLICATION 23/0136/RM BE APPROVED SUBJECT TO THE**

## **IMPOSITION OF THE FOLLOWING CONDITIONS:**

1. Development built in accordance with approved plans shown on drawing schedule.
2. Materials as per the approved materials plan.
3. Hard and soft landscaping (including boundary details) to be carried out in accordance with the approved plans.
4. Landscaping carried out within 1 year and replaced within a period of 5 years.
5. Frontage boundary hedgerow treatments and planting to green corridors shown on plan to be retained in perpetuity.
6. Provision of parking and turning in accordance with approved plan prior to occupation and retained in perpetuity.
7. Provision of private access drives and turning spaces in accordance with the Highways Design Guide and surfaced with tarmacadam or similar hardbound material for at least 5m behind the highways boundary.
8. Removal of PD rights for access gates, bollards, barriers, chains or other such obstructions within a distance of 5 metres of the highway boundary.
9. Provision of 1m x 1m pedestrian visibility splay on the highway boundary on both sides of all private accesses with nothing in those splays higher than 0.6m. To be retained in perpetuity thereafter.
10. Removal of PD rights for extensions to relevant plots inc. 92, 112, 115, 123, 124, 129, 132, 137, 140, 143
11. Removal of PD rights for porches to relevant plots inc. 13, 14, 11, 12, 17, 18, 36,39, 40, 120, 119, 128-144
12. Retention of approved boundary treatments (walls and hedgerows) and the street facing landscaping to the front and side of dwellings on all plots in perpetuity.
13. Removal of PD rights for replacing or adding new means of enclosures along street scene for all plots.
14. Removal of PD rights for conversions and other uses in relation to garages and car ports to relevant plots inc. 57, 58, 59 – 70, 72, 76, 77, 83, 104, 105, 146-148, 152 - 163

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Considered – Report of the Development Services Team Leader, presented by the Senior Planning Officer.

**23/0189/OUT**

**Mr Lewis, Leicester Lettings (2016) Ltd.**

**Outline application for up to 9 serviced plots for self-build and custom housebuilding. All matters reserved except for access.**

**Land at and to the rear Of 6 Roundhill, Kirby Muxloe, Leicestershire, LE9 2DY**

## Public Speaking

Pursuant to Part 4, Section 7 of the Council's Constitution in relation to public rights of participation in planning applications, the Chairman allowed the following to give a 5 minute presentation:

- Nigel Ozier – Objector

## **DECISION**

### **THAT APPLICATION 23/0189/OUT BE REFUSED FOR THE FOLLOWING REASONS:**

1. The proposed development would be located on an elevated and prominent parcel of open space within an area of Green Wedge situated outside of the settlement boundaries of Kirby Muxloe, part of the Principal Urban Area of Leicester as defined by the Blaby District Local Plan (Delivery) Development Plan Document. The site access and part of the proposed private road would be located within the settlement boundary, utilising the existing vehicular access and garden area of No.6 Roundhill. By virtue of its location, the proposal would represent an unwarranted intrusion of urban development beyond the settlement envelope boundary of Kirby Muxloe into an important area of Green Wedge that forms part of the setting to Kirby Muxloe Castle and Kirby Fields Conservation Area. The proposed development would appear dislocated from the defined and historic settlement boundary and would neither preserve nor enhance the cultural heritage of the Green Wedge which would be unduly eroded and would harm the setting of designated heritage assets as well as the character and appearance of the landscape in this locality. Consequently, the proposed development would be contrary to Policies CS1, CS16 and CS20 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM10 and Policy DM12 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.
2. The proposal would be located approximately 290 metres to the southeast of Kirby Muxloe Castle, which is a scheduled monument and Grade I listed building. The castle's setting makes an important contribution to the site's overall significance which includes views to and from the castle at both ground level, the upper stories of the listed ruins and from elevated positions off site. It also includes the dynamic experience of approaching and travelling through the landscape which surrounds the monument, with

the adjacent areas of open and undeveloped landscape being of particular importance. The proposed development would erode the historic landscape between Kirby Fields and Kirby Muxloe and would fail to preserve or enhance the cultural heritage in this part of the District. The subsequent loss of part of this area to development would be detrimental to the historic context and setting of Kirby Muxloe Castle, resulting in less than substantial harm to the significance of the Scheduled Monument and Grade I listed building. Having regard to the legislation set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposed development would therefore be contrary to Policies CS2, CS16 and CS20 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013, Policy DM12 of the Blaby District Local Plan (Delivery) Development Plan Document 2019 and Section 16 of the National Planning Policy Framework 2019.

3. The wider character of Kirby Fields Conservation Area is defined by substantial houses of individual style, standing in extensive grounds that are served by a network of private roads that are unified by mature and attractive landscaping. The sub-division of No.6 Roundhill to facilitate the provision of an access road to serve the proposed development would intrinsically undermine the prevailing character of Kirby Fields Conservation Area. In addition, the fragmentation of the curtilage of No.6 Roundhill would fail to preserve or enhance the special qualities of the Conservation Area and its wider setting, resulting in permanent and irreversible harm. Having regard to the legislation set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposed development would be contrary to Policies CS2 and CS20 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013, Policies DM1(b)(d) and DM12 of the Blaby District Local Plan (Delivery) Development Plan Document 2019 and Section 16 of the National Planning Policy Framework 2019.
4. The proposed development comprises a visually tight and linear arrangement of dwellings that would be accessed via a proposed road off an existing cul-de-sac. By virtue of its density and formal cul-de-sac arrangement the proposal would result in the overdevelopment of the site and would be of unsatisfactory layout and design. As such, the proposed development would be significantly out of keeping with the open and spacious Green Wedge location, including the historic character and prevailing grain of Kirby Fields Conservation Area. Consequently the proposal would be contrary to Policies CS2 and CS20 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013, Policy DM10 and DM12 of the Blaby District Local Plan (Delivery) Development Plan Document 2019 and Sections 12 and 16 of the National Planning Policy Framework 2019.

5. The proposed road intended to provide access to the residential development would be situated within the front and rear garden of No.6 Roundhill and would immediately abut the boundary with No.5 Roundhill, running a total length of approximately 150 metres. The increased activities and vehicular movements associated with a proposed residential development in this location would have a detrimental impact in terms of noise and disturbance, resulting in the proposal having an unsatisfactory relationship with neighbouring properties occupiers resulting in their existing enjoyment of residential amenity being significantly diminished. The suggested mitigation in the Noise Report, consisting of a 2 metre high wall along either side of the proposed access road, would likely be detrimental to the character of the area. Consequently, the proposed development would be contrary to Policy CS2 of the Blaby District Local Plan (Core Strategy) Development Plan Document 2013 and Policy DM1(a) and DM10 of the Blaby District Local Plan (Delivery) Development Plan Document 2019.

**THE MEETING CONCLUDED AT 5.31 P.M.**