

**PLANS COMMITTEE
21ST MARCH 2024**

PRESENT: The Chair (Councillor S. Forrest)
The Vice Chair (Councillor Lennie)
Councillors Charles, Cory-Lowsley, Fryer,
Lawrence, Monk, Northage, Palmer, Snartt,
Worrall, Bokor and Infield

Head of Planning and Growth (RB)
Locum Solicitor (SG)
Development Management Team Leader (SG)
Senior Planning Officer (DL)
Principal Planning Officer (VS)
Principal Planning Officer (PR)
Democratic Services Officer (RD)

APOLOGIES: Councillor Lowe and O'Neill

The Chair stated that the meeting would be live-streamed and available via YouTube. She also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

63. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 22nd February 2024 were confirmed as a correct record and signed.

64. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

Mr M. Hunt – Estate Plan for the Garendon Park SUE and associated matters.

1. "The Borough's latest Annual Monitoring Report indicates that 60 homes on the West of Loughborough (Garendon Park) SUE would be completed by March 2024 and rising to about 200 a year by 2026, how many homes have actually been completed to date?
2. Bearing in mind the importance of occupied properties in the S106 Agreement, how many of the completions have been occupied to date?
3. The Borough Council began work on the Estate Management Plan for the future residents more than five years ago, including the engagement of consultants. What has been spent on consultants to date?
4. In November 2021 the Committee Chair responded to a question regarding the Estate Plan for the Garendon Park Development that "The Estate Plan required by Schedule 7 of the Section 106 is required to be submitted and agreed prior

to the first occupation. and requires that the management companies agreed as part of the Estate Plan are set up prior to the first occupation. The Estate Plan has not been agreed at this point in time and CBC continue to liaise with the developers to progress this issue in line with the timescales set out in the S106 agreement.

The Estate Plan will be published via Charnwood's website upon agreement. After a further 18 months during which up to sixty properties may have been occupied, why has this important Plan still not been agreed?

5. What arrangements will be made for consultation, publication and approval of the Estate Plan?
6. In September 2018 it was confirmed that Para 2.1 of Schedule 7 prevents Occupation of any dwelling until the Estate Plan has been submitted to and approved by the Council. What sanction is available to the Local Planning Authority (LPA) to ensure this and why has it not been used?
7. Para 2.2 requires management in accordance with the approved Estate Plan in perpetuity and prevents occupation other than in accordance with the approved Estate Plan arrangements. What sanction is available to the LPA to enforce this and why has it not been used?
8. If the LPA does not enforce the S106 agreement triggered by the first occupied home, how can we expect developers to meet other commitments when more homes are occupied?
9. What potential legal and financial risks do purchasers take when signing a deed to maintain contributions to an Estate Plan that doesn't yet exist?"

A response to the questions had been published on 20th March 2024 within the Extras Report and available at: [Agenda for Plans Committee on Thursday, 21st March, 2024, 5.00 pm - Charnwood Borough Council \(moderngov.co.uk\)](#) .

Mr Hunt was in attendance at the meeting and asked the following supplementary question:

"With regard to question 8, when other works are said to be meeting their obligations (cf trigger points), what progress, if any, has been made on the items in the restoration programme which have failed to meet the S106 Agreement, notably the obelisk, entrance archway to hall, wrought iron gate and screens, cow house outbuildings, and what progress, if any, has been made on the restoration of those in the agreement required to be completed according to the latest Monitoring Report, during 2024/25, notably the barn, Temple of Venus, Triumphal Arch, gateway and railings to hall, dovecote and Stonebow Bridge?"

Officers had provided a written response to the supplementary question to Mr Hunt in advance of the meeting and is available as an appendix to the minutes.

Trigger points in relation to payment of contributions for Hathern Library, police, travel packs and relating to delivery of the first primary school had been met. However,

limited progress had been made in relation to the restoration of heritage assets with only the obelisk, which required works to be undertaken prior to the 40th occupation, having listed building consent and it was understood that the works to replaster the asset would be undertaken in Spring 2024. Further works to heritage assets were required by the 100th occupation. No submissions had been made in relation to those assets.

Further details relating to each specific asset had been submitted to Mr Hunt in advance of the meeting and Mr Hunt was in agreement for those details to be circulated to the Committee and available as an appendix to the minutes.

65. DISCLOSURES OF PECUNIARY INTERESTS, AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

The following disclosures were made:

- (i) by Councillor S. Forrest – in respect of planning application P/23/2050/2 (14-18 Loughborough Road, Mountsorrel) who knew the applicant from work carried out in her Ward but confirmed that she came to the meeting with an open mind.
- (ii) by Councillor Fryer – in respect of planning applications P/23/1931/2 (10 Polyantha Square, East Goscote) and P/23/2058/2 (18 Barrow Road, Sileby) who was Chair of the Children and Families Overview and Scrutiny Committee at Leicestershire County Council but confirmed that she came to the meeting with an open mind.
- (iii) by Councillor Snartt – in respect of planning application P/23/1931/2 (10 Polyantha Square, East Goscote) who knew the objector and the Parish Council member, but confirmed he had not discussed the application and came to the meeting with an open mind.
- (iv) by Councillor Lawrence – in respect of planning application P/23/2058/2 (18 Barrow Road, Sileby) who was Ward Councillor for the area, had called-in the application and would be speaking on the item. He sat in the public gallery for the duration of the item.
- (v) by Councillor Bokor – in respect of planning application P/23/0271/2 (Land adj. 1 London Lane, Wymeswold) who was Ward Councillor for the area, but had not called the application in and confirmed that she came to the meeting with an open mind.

66. PLANNING APPLICATIONS

Reports of the Head of Planning and Growth, setting out applications P/23/0271/2, P/23/1931/2, P/23/2058/2 and P/23/2050/2 were submitted (item 5 on the agenda filed with these minutes). An Extras Report in respect of P/23/2050/2 was also submitted (also filed with these minutes).

Three late requests to speak had been received from the following:

1. Ms Kay Carpenter (agent, on behalf of the applicant) – in respect of application P/23/0271/2;
2. Ms Leona White-Simmonds (on behalf of the applicant) – in respect of application P/23/1931/2;
3. Mr Raffaele Russo (applicant) – in respect of application P/23/2050/2.

The Chair and members of the Committee were in agreement for the late requests to speak to be granted.

In accordance with the procedure for public speaking at meetings, the following objectors, applicants or their representatives and representative of a parish council attended the meeting and expressed their views:

- (i) Ms Kay Carpenter (agent, on behalf of the applicant) – in respect of application P/23/0271/2;
- (ii) Mr Malcolm Heaven (objector) – in respect of application P/23/1931/2;
- (iii) Ms Leona White-Simmonds (on behalf of the applicant) – in respect of application P/23/1931/2;
- (iv) Councillor Sue Gerrard (on behalf of East Goscote Parish Council) - in respect of application P/23/1931/2;
- (v) Ms Dawn Diamond (objector) – in respect of application P/23/2058/2;
- (vi) Councillor Elizabeth Jones (on behalf of Sileby Parish Council) – in respect of application P/23/2058/2;
- (vii) Mr Raffaele Russo (applicant) – in respect of application P/23/2050/2.

In accordance with the procedure for Borough Councillors speaking at Plans Committee meetings, the following Councillors attended the meeting and expressed their views:

- (i) Councillor Needham in respect of application P/23/1931/2;
- (ii) Councillor Lawrence in respect of application P/23/2058/2;
- (iii) Councillor Fox in respect of application P/23/2050/2.

a) P/23/0271/2 – LAND ADJ. 1 LONDON LANE WYMESWOLD

A typing error was identified in the planning application number on the agenda front sheet, page 2. The correct planning application number was P/23/0271/2.

RESOLVED that in respect of application P/23/0271/2 (Land adj. 1 London Lane, Wymeswold) planning permission be granted subject to the planning conditions and reasons as set out in the report of the Head of Planning and Growth and that the Head of Planning and Growth be given delegated authority to determine the final detail of the planning conditions in consultation with the Chair of the Plans Committee.

b) P/23/1931/2 – 10 POLYANTHA SQUARE, EAST GOSCOTE

RESOLVED that in respect of application P/23/1931/2 (10 Polyantha Square, East Goscote) planning permission be granted subject to an additional condition to secure a property management plan, and subject to the planning conditions and reasons as

set out in the report of the Head of Planning and Growth and that the Head of Planning and Growth be given delegated authority to determine the final detail of the planning conditions in consultation with the Chair of the Plans Committee.

c) P/23/2058/2 –18 BARROW ROAD, SILEBY

RESOLVED that in respect of application P/23/2058/2 (18 Barrow Road, Sileby) planning permission be refused as the proposal was considered to result in unacceptable harm to neighbouring amenity, by reason of unsuitability for a care home, evidence of extreme noise and disruption, unsuitability of shared access for this level of care, lack of privacy and limited space in the outside area, parking area not self-contained and was contrary to policy CS2, emerging policy DS5 and saved policy EV/1, and that Officers be given delegated authority to determine the wording for the refusal reason.

d) P/23/2050/2 - 14-18 LOUGHBOROUGH ROAD, MOUNTSORREL

RESOLVED that in respect of application P/23/2050/2 (14-18 Loughborough Road, Mountsorrel) planning permission be granted with additional conditions relating to boundary treatments on the northern site boundary for safety due to the proximity of the River Soar and a condition to restrict the permission to the specified use only unless further grant of planning permission, and subject to the planning conditions and reasons as set out in the report of the Head of Planning and Growth, updated to reflect the fact that the development had begun on site, and that the Head of Planning and Growth be given delegated authority to determine the final detail of the planning conditions in consultation with the Chair of the Plans Committee.

67. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A list of applications determined under powers delegated to officers for the period from 13th February 2024 to 12th March 2024 was submitted (item 6 on the agenda filed with these minutes).

NOTES:

1. No reference may be made to these minutes at the next ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Plans Committee.