

**PLANS COMMITTEE
18TH APRIL 2024**

PRESENT: The Chair (Councillor S. Forrest)
The Vice Chair (Councillor Lennie)
Councillors Charles, Cory-Lowsley, Fryer, Lowe,
Monk, Northage, O'Neill, Palmer, Snartt, Worrall
and Woodward

Principal Planning Officer (JW)
Locum Solicitor (SG)
Development Management Team Leader (SG)
Team Leader Planning Enforcement (SH)
Democratic Services Officer (RD)

APOLOGIES: Councillor Lawrence

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.

68. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 21st March 2024 were confirmed as a correct record and signed.

69. QUESTIONS UNDER COMMITTEE PROCEDURE 12.8

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

1. What delegated authority was given to the Garendon Estate Plan published in 2019?
2. Why are no councillors or residents being consulted or invited to comment on the Garendon Estate Plan prior to any delegated decision?
3. Will the owners of Garendon Park be obliged to consult Historic England prior to any future alteration to the landscape of the Listed Park and Gardens?
4. On approving an Estate Plan based on current figures does the Council believe that sufficient Estate Service Charge income is available for the Management Company to pay for the cost of services required and has a risk analysis been done or any due diligence on the financial estimates?
5. The FHP Appraisal of Property Management Proposal for the West of Loughborough Sustainable Urban Extension (page10) dated 19th December 2014 makes the observation that:

*As the Garendon Parkland is intended for use as a public amenity for the wider area of Loughborough and Shepshed, I believe it is not equitable for the development's property owners to be funding the vast majority of contributions towards its upkeep without either some form of differential being introduced, or additional 3rd party contributions to its upkeep. If additional funding is not likely, then an alternative could be to **allow the use of all facilities on the Parkland to owners on the development for free or reduced cost, with a different charging structure applied to any users outside the development.***

Can the Council confirm that users living outside the development, such as those in Loughborough and Shepshed, will not be charged of use of, or entry to, the Garendon Country Park?

6. Are there any rights of access, including accessways and open spaces, within the Garendon Country Park (otherwise known as Garendon Heritage Park) to which the general public don't have but residents of the development (ie resident members of the management company) do, and if so could you specify what they are?
7. What procedure surrounds any update of the Estate Plan or will the Director (s)/Board have the power to change or update it at will?
8. When Persimmon Homes resigns from the Directorship of the Management Company who will replace them and under what procedure?
9. What role does the Stonebow Village Parish have in overseeing the Estate or intervening in its management and what thought has been given to its role with respect to any Residents Steering Committee?
10. Who would represent the specific interests of users of Garendon Country Park in the Estate Plan, and how if, at all, could it be exercised?
11. Does the Council agree that the Service Charge on residents should be proportionate the Council Tax Bands set by the Valuation Office rather than a flat rate and if so, would it be possible for a local planning Authority to apply this to other management agreements?
12. Will the Garendon Estate Plan include a Sustainability Plan before it is approved by the Council and could it become mandatory through the Local Planning Process for such management company proposals to require a Sustainability Plan?

Mr Hunt was not in attendance at the meeting to ask a supplementary question further to the response to the question which was published on 17th April 2024 within the Extras Report.

The Committee noted the question and response.

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

No disclosures were made.

71. PLANNING APPLICATIONS

A report of the Head of Planning and Growth, setting out planning application P/22/2309/2 was submitted (item 5 on the agenda filed with these minutes). An additional report in respect of the item was also submitted (also filed with these minutes).

In accordance with the procedure for public speaking at meetings, the following objector, representative of an applicant and representative of a parish council attended the meeting and expressed their views in respect of application P/22/2309/2:

- (i) Ms Linda Jones (objector);
- (ii) Ms Helen Bareford (on behalf of the applicant, David Wilson Homes)
- (iii) Cllr Elizabeth Jones (on behalf of Sileby Parish Council).

In accordance with the procedure for Borough Councillors speaking at Plans Committee meetings, the following Councillor attended the meeting and expressed their views in respect of application P/22/2309/2:

- (i) Councillor Bottomley (call-in).

a) P/22/2309/2 – LAND EAST OF COSSINGTON ROAD, SILEBY

An agenda supplement had been published on the morning of the Plans Committee (18th April 2024) containing a copy of the Appeal Decision (Appendix A) which had been omitted from the agenda.

RESOLVED that in respect of application P/22/2309/2 (Land East of Cossington Road, Sileby) planning permission be granted subject to planning conditions for the reasons set out in the report of the Head of Planning and Growth and updated conditions set out in the Extras Report 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.

72. QUARTERLY ENFORCEMENT DECISIONS REPORT - Q4 2023/24

A list of enforcement decisions for Quarter 4, 2023/24 was submitted (item 6 on the agenda filed with these minutes).

The Team Leader for Enforcement assisted the Committee with this item and provided a presentation with example cases where it had been considered expedient and not expedient to take further action on enforcement matters.

Enforcement decisions would be reported to Plans Committee on a quarterly basis going forward.

Summary of responses to questions and discussion:

- (i) There was a mixture of some members of the public not understanding regulations and some members of the public consciously not following regulations.
- (ii) Enforcement matters were given a 'harm score' and investigated further if a score of over 5 was calculated. Under 5 was considered not harmful and therefore was not considered expedient to take further action.
- (iii) Where scores were over 5 and deemed to be potentially harmful, the applicant would be encouraged to apply for retrospective planning permission, to ensure that conditions would be met.
- (iv) At present planning permission was not required for Air B&B's, however there was a possibility that this might change in the future.
- (v) Confirmed that Plans Committee members would not need to disclose interests in enforcement decisions, due to the decisions not being taken by the Plans Committee.
- (vi) Enforcement regulations would be updated on 25th April 2024, and further information would be circulated to the Committee.

The Chair thanked the Team Leader for Enforcement for an interesting report and presentation.

73. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS

A list of applications determined under powers delegated to officers for the period from 13th March 2024 to 8th April 2024 was submitted (item 7 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.