

**Minutes of the Meeting of Long Whatton & Diseworth Parish Council held on Thursday 11<sup>th</sup> July 2024 at 7.00pm at Long Whatton Friendship Centre, Main Street, Long Whatton.**

**2475 Attendance and apologies**

**Present:** Cllrs D Bamford (Chairman), P De Kock, G Matravers, A Hawtin and A Jarrom.

**Clerk:** Samantha Lockwood.

**Apologies received and accepted:** **Parish Councillor:** T Wilkins and **County and District Councillor:** N Rushton.

**2476 Code of Conduct - Councillors' Declarations of Interest**

**RESOLVED:**

*Cllr Bamford declared a non-pecuniary interest at point 2480 (c) in the minutes, he left the room and took no part in the decision making.*

*Cllr Matravers declared a pecuniary interest at point 2482, planning application: 24/00490/FUL, he left the room and took no part in the decision making.*

*Cllr Jarrom declared a pecuniary interest at 2482, planning application: 24/00727/OUTM, she left the room and took no part in the decision making.*

**2477 Minutes of the previous meeting of the Council**

**RESOLVED:** *The minutes of the Parish Council meeting held on 13<sup>th</sup> June 2024, previously circulated, be taken as a true record, confirmed, and signed.*

**2478 Any matters to be raised with the County Councillor and District Councillor.**

**RESOLVED:** *Members gave their best wishes for Cllr Rushton's recovery.*

*Chevron signs are still down on Kegworth Lane.*

**2479 Police, crime, safety.**

**RESOLVED:** *The Clerk circulated a letter from the Deputy Police and Crime Commissioner to members.*

**2480 Administration & Finance**

**(a) Clerk's Report and monthly payments.**

**RESOLVED:** *June payments approved at July's meeting.*

<b>PAYEE</b>	<b>REASON</b>	<b>£</b>	<b>BACS</b>
A Clark	June Salary and expenses	£223.11	BACS
S Lockwood	June Salary and expenses	£770.54	BACS
HMRC	Tax and NI	£503.82	BACS
Allotment Society	Membership	£66.00	BACS
J Seja	Allotment Padlock	£24.19	BACS
LWCA	Room Hire	£20.00	BACS
Diseworth Village Hall	Room Hire	£40.00	BACS

**Total:** £1,647.66

**(b) To discuss the quotation received to purchase a new defibrillator for Diseworth Village Hall.**

**RESOLVED:** *The Parish Council agreed to purchase a new defibrillator for Diseworth Village Hall. The Clerk will arrange for delivery and installation.*

**(c) To consider a financial contribution towards the children's entertainment at Diseworth Village Show.**

**RESOLVED:** *The Parish Council discussed the grant application for Diseworth Village Show. Cllr De Kock proposed the motion and Cllr Hawtin seconded and all members agreed a figure of £900.00 towards the children's entertainment.*

**2481 Community**

• **Freeport.**

**RESOLVED:** *SEGRO has authority from Department for Levelling Up, Housing and Communities to apply for a DCO, which is raising concern for Protect Diseworth, but SEGRO are very quiet at the moment.*

- **Neighbourhood Plan.**  
*RESOLVED: Awaiting an update.*
- **Isley Woohouse Development Proposals.**  
*RESOLVED: No updates.*
- **Flood project updates.**  
*RESOLVED: East Midlands balancing ponds are due to be re-lined. This has been explained by EMA and their technical team to the Flood Working Group, who appear satisfied with the work proposed.*

## 2482 Planning

### (a) Planning Applications: consider and respond to the following:

**24/00490/FUL:** Retrospective change of use of land to dog exercise area and associated parking at Manor Farm, 77 Main Street, Long Whatton, Loughborough, Leicestershire, LE12 5DF. - **NO OBJECTIONS.** *Given the restrictions on land available to exercise dogs in Long Whatton this facility seems useful, whilst we do not approve of this type of retrospective application (permission should have been sought prior to use) we see no objection to allowing the facility to be used.*

**24/00655/VCU:** Amendments to condition 5 of planning permission 22/00370/VCI which was for, the Variation of condition 2 of 16/00895/FUL so as to amend the design and increase the size of the dwelling. The current application seeks to vary condition 5 of 22/00370/VCI to change the wording to remove "screen planting of trees" to low level landscaping at 24 Clements Gate, Diseworth, Derby, DE74 2QE. - **NO OBJECTIONS.** *We do not have sufficient technical expertise to usefully comment on this variation, the argument for not placing trees too close to the property seems reasonable.*

**24/00727/OUTM:** Outline planning permission (means of access from A453 fixed; all other matters reserved for future determination) for the construction of employment floorspace (use classes B2/B8) with ancillary (integral) offices (use class E(g)(i)); and associated infrastructure including earthworks, internal estate road, parking and landscaping (all) at Land South Of A453, Ashby Road, North Of Hyam's Lane, Castle Donington, Leicestershire. - **OBJECT.**

#### **Background**

*Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant part of the Development Plan in the case of this planning application is the North West Leicestershire Local Plan 2011 to 2031. The Local Plan was adopted by North West Leicestershire District Council on 16 March 2021 following a partial review.*

#### **North West Leicestershire Local Plan**

*North West Leicestershire Local Plan Policy S3 provides for large-scale employment development in the countryside where it would comply with Local Plan Policy Ec2. Policy Ec2 supports additional employment development where evidence indicates an immediate need or demand for additional employment land (B1, B2 and B8) subject to the proposal:*

- Being accessible, or will be made accessible, by a choice of means of transport, including sustainable transport modes, as a consequence of planning permission being granted for the development; and*
- Having good access to the strategic highway network (M1, M42/A42 and A50) and an acceptable impact on the capacity of that network, including any junctions; and*
- Not being detrimental to the amenities of any nearby residential properties or the wider environment.*

*North West Leicestershire District Council is undertaking a Local Plan Review. The review will update the adopted Local Plan. Public consultation on proposed policies and land allocations*

took place from 5 February to 17 March 2024. The Draft replacement Local Plan aims to fully meet, and exceed, employment land requirements to 2040 by allocating sites at Ellistown, Castle Donington, Kegworth and the proposed new settlement at Isley woodhouse.

**This will make the current planning application unnecessary.**

### **Long Whatton and Diseworth Neighbourhood Plan**

Long Whatton and Diseworth Parish Council is preparing a Neighbourhood Plan for its area. The Long Whatton and Diseworth Neighbourhood Plan will be a statutory plan which means that once it has been finalised, decisions on planning applications will be made using both the Local Plan and the Neighbourhood Plan, and any other material considerations.

A considerable amount of community engagement has been undertaken to inform the preparation of the neighbourhood plan, including a community questionnaire undertaken in summer 2021 which received 353 responses.

The feedback from the questionnaire results and information about the area have helped the preparation of a (Pre-Submission) Draft version of the Long Whatton and Diseworth Neighbourhood Plan. Under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, consultation on the Draft Neighbourhood Plan took place between Monday 12 February and Monday 25 March 2024.

To help with the interpretation of Local Plan Policy Ec2 at a local level, particularly criterion c, the Neighbourhood Plan directs large-scale employment development to those parts of the countryside that are less sensitive, especially in terms of landscape, heritage, and nature conservation.

The current, (Pre-Submission) Draft version of the Long Whatton and Diseworth Neighbourhood Plan carries limited weight in the determination of planning applications. However, the Parish Council anticipates that the next version of the Neighbourhood Plan will be submitted to North West Leicestershire District Council in the coming weeks, and it will be an important material consideration in the determination of this planning application.

### **Consideration**

**The Parish Council strongly objects to planning application 24/00727/OUTM. The potential impact on Diseworth, particularly in terms of heritage, landscape, drainage, and amenity, are unacceptable.**

### **Freeport**

The East Midlands Freeport was designated by the Government in March 2021. The designation includes some 100Ha of greenfield land to the south of the A453/J23a of M1 and to the immediate east of Diseworth. The planning merits of the site played no part in the Freeport designation. **The Freeport designation is of little or no relevance to this application.**

### **Landscape**

In 2023, Long Whatton and Diseworth Parish Council commissioned its own study which builds on three previous studies to understand in more detail the characteristics of the landscape surrounding Long Whatton and Diseworth.

The Study concludes that the landscape to northeast of Diseworth transitions beyond the settlement fringe out to a simple, agricultural landscape. This landscape's value is derived from the separation and protection it affords the settlement from the large-scale developments of East Midlands Airport, transport infrastructures of the M1 and A42 and Donington Park Services to the north and east. This landscape retains a hinterland to the settlement, which has already been compromised, protecting the identity and character of the settlement and landscape

beyond. This results in a medium – high sensitivity to employment and a medium sensitivity to housing.

This parcel's strong role in the setting of the settlement is represented by key views along Hyam's Lane which show the nucleated settlement of Diseworth buffered by the surrounding countryside. Key Views show how only the spire of the church breaks the skyline with built elements of the settlement surrounded by vegetation against a backdrop of the rising land to the west. From the settlement and national trail visual receptors' views and experience of the landscape are buffered from the industrial developments to the north by this landscape.

**It follows that the proposed development would have a significant adverse impact on the landscape contrary to Local Plan Policy Ec2. However, the full extent of the landscape impact cannot be established because matters such as the scale of development and landscape mitigation are reserved matters.**

### **Heritage**

The Church of St Michael, Clements Gate, Diseworth is Grade II\* Listed. North West Leicestershire District Council is reminded that Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. Section 72 contains similar requirements with respect to buildings or land in a conservation area. In this context 'preserving' means doing no harm.

The scale of the proposed development within the application site will result in a substantial visual change within the setting of the Conservation Area and various Listed Buildings, including the Church of St Michael. The proposed development will be visually dominant in views to the north taken in the vicinity of the Conservation Area.

The current agricultural use of the application site will be changed by the proposed development, and such a change will be readily legible from the vicinity of the Conservation Area.

It follows that the proposed development would have a significant adverse impact on heritage assets contrary to Local Plan Policy Ec2. However, the full extent of the heritage impact cannot be established because matters such as the scale of development is a reserved matter.

### **Agricultural Land Quality**

The NPPF requires that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered when deciding what sites are most appropriate for development. The proposed lies in an area of Grade 3 agricultural land and close to Grade 2 land.

**The site is Grade 3a land- the best and most versatile agricultural land.**

### **Noise and Air Pollution**

Diseworth's residents are constantly affected by noise, light and air pollution from aircraft and airport operations, road traffic (particularly the A453 and A42/M1), businesses, Donington Park Race Track, and the annual Download Festival.

From our 2021 Questionnaire Survey, we know that 67% of respondents are concerned about noise disturbance relating to East Midlands Airport. Overall, on a scale of 0-10 (where 0 is not a problem), respondents registered concern with aircraft noise at five. A score of six was registered in relation to concerns about air quality issues associated with aircraft emissions.

*The proposed strategic distribution site would bring an additional source of noise, light pollution, and disturbance even closer. The never-ending noise and light pollution will cause serious issues both physically and mentally. Communities that are exposed to sound pollution can experience a range of negative effects, including hearing loss, sleep disruption, and stress. In some cases, exposure to sound pollution can also lead to cardiovascular problems and cognitive impairment in children.*

***The proposed development would have a significant adverse impact on residential amenities contrary to Local Plan Policy Ec2.***

### **Drainage**

*The proposed application site lies within the catchment of the Diseworth Brook. Flood risk is a major concern for local people- 60% of respondents to our 2021 Questionnaire Survey were concerned about flood risk where they lived.*

*The Diseworth, Long Whatton and Westmeadow Brooks provide the main source of fluvial flood risk in the Neighbourhood Area with areas in Diseworth being in Flood Risk Zones 3 (high risk) and 2 (medium risk). To the very east of the parish, the area to the east of the A6 is susceptible to flooding from the River Soar.*

*Between May 2013 and January 2014, Leicestershire County Council commissioned a desktop Catchment Study into flooding that has occurred in the villages of Long Whatton and Diseworth and included the identification of prospective flood mechanisms and the proposal of outline mitigation measures.*

*The Parish Council is keen to ensure that the proposed development includes both attenuation of runoff from new roofs and hardstanding, and new areas of flood storage to intercept surface water in order to alleviate flood risk in both Long Whatton and Diseworth villages. However, such matters are reserved.*

*Water quality is also important, and the District Council will be aware of multiple criminal charges being brought against East Midlands Airport Ltd by the Environment Agency for pollution entering the river system.*

***The proposed development could have a significant adverse impact on the water environment contrary to Local Plan Policy Ec2.***

### **Transport and Traffic**

*The location of the application site is poorly served by public transport. There is no genuine choice of transport modes- the proposed new development will be wholly reliant upon road distribution and workers using the private car. Indeed, the majority of those travelling to East Midlands Airport already travel by car which adds to congestion on the highway network and contributes to carbon emissions.*

*The traffic generated by the proposed strategic distribution site would have a significant impact upon the local and strategic road network, especially J23a and J24 of the M1. Contrary to the NPPF, there would be no genuine choice of sustainable transport modes.*

*It follows that the proposed development would be contrary to Local Plan Policy Ec2.*

*Access to/from the site will be the A453. This is already a busy road carrying local traffic, airport customer traffic, EMA freight lorries and heavy quarry trucks travelling to Breedon-on-the-Hill. The additional freight to and from the Freeport site, along with workers and the residents of the proposed Isley Woodhouse development will produce huge amounts of extra traffic movement throughout the day.*

*Entry onto the A453 from Diseworth will be even more problematical than now, especially during busy times. There will also be a massive increase in cars 'rat running' through Diseworth,*

*Belton, Long Whatton and Breedon. These local roads are already subjected to both heavy use, congestion and further traffic on such rural roads will no doubt increase, and perhaps cause, an increased accident risk. This area is simply not suitable for further large increases in car movements. We have been advised at the exhibition in our village (Diseworth) that there will be an extra 450 cars entering/leaving the site purely in rush hour.*

**The Parish Council must have sight of a traffic impact study and ask that a full strategic highway review is undertaken without delay.**

### **Parking**

*For several years, particularly during school holidays and the summer months, parking nuisance has been a significant issue in Diseworth and Long Whatton. Holidaymakers using East Midlands Airport and workers at the airport and nearby businesses park in the villages to avoid car parking charges. Cars have been left for 2-3 weeks at a time with them left on pavements, verges etc. Some parked cars have been vandalised, possibly by angry residents. Several control measures have been discussed, including a Residents Parking Scheme.*

*The Parish Council is keen to ensure that the proposed development does not exacerbate the current problems, however, matters such as parking provision are reserved.*

**The proposed development could worsen residential amenities contrary to Local Plan Policy Ec2.**

**24/00793/TCA:** Works to 2no Ash Trees and 1no Holly Tree (Unprotected trees in a conservation area) at The Old Surgery, Grimes Gate, Diseworth, Derby, DE74 2QD. – **NO OBJECTIONS.**

**24/00662/TPO:** Works to reduce height of 4 no. lime trees (Protected by Tree Preservation Order T/71) - (Amended Site Location Address) at 1 And 2 Deador Close And Land To The Entrance At Deador Close, Long Whatton, Loughborough, Leicestershire, LE12 5DT.

**Re-Consultation: 23/01712/FULM:** The construction and operation of a ground-mounted solar farm with a generation capacity of 7.4MW together with access, landscaping and associated infrastructure at Donington Park Service Area, Junction 23A, Ashby Road, Castle Donington, Derby, DE74 2TN. - **OBJECT.** *The Parish Council refer to its earlier response to this application dated 12<sup>th</sup> February 2024. Whilst members have met with representatives of the Client and understand that an attempt is being made to retain some wildlife habitat, the Parish Council await the result of the promised ecology report before commenting further. LWDC still believe that elevated solar panels over the car park (like can be seen in countries like Australia) would be a much better solution as we will soon have no green spaces left in our corner of Leicestershire.*

**Re-Consultation: 24/00545/FUL:** Retrospective application for retention of existing storage building/containers (B8 storage use) and stable block, tack stores and manege (including 6 no. floodlights) in connection with a DIY livery at Village Farm, The Green, Diseworth, Derby, DE74 2QN. - The Parish Council would refer to its response of 14<sup>th</sup> June 2024 (above) and see no reason to change our view. The stable block, its associated storage and manege are within the existing farm area. The equine complex is well used, well maintained and it causes no privacy issues as it is largely hidden from view behind the larger farm buildings. **No Objection.**

### **(b) Planning Decisions notified since the previous meeting:**

**24/00497/CLP:** Certificate of Lawful Proposed development for new 30cm high retaining wall to allow for widened paved access path to front door (existing wall to be partially demolished) at 24 Clements Gate, Diseworth, Derby, DE74 2QE. – **CERTIFICATE OF LAWFULNESS OF PROPOSED USE.**

**24/00577/AIR:** Installation of loading dock leveller at Royal Mail Building, Beverley Road, East Midlands Airport, Castle Donington, Derby, DE74 2SA. – **NWLDC HAS NO OBJECTIONS TO PROPOSED USE.**

**24/00580/FUL:** Installation of replacement windows at Cobweb Cottage, 6B Lady Gate, Diseworth, Derby, DE74 2QF. – **PLANNING PERMISSION.**

**24/00587/ADC:** Display of re-positioned non-illuminated freestanding totem sign at Western Power Distribution, Herald Way, East Midlands Airport, Castle Donington, Derby, Leicestershire, DE74 2TU. – **CONSENT TO DISPLAY ADVERTISEMENT.**

**2483 Representatives' Reports.**

**RESOLVED:** *None.*

**2484 Miscellaneous Correspondence (to note and made available for Councillors' inspection)**

(a) **NWL Community Newsletter Issue 6.** – (fwd Cllrs).

(b) **Parish Newsletter - 28 June 2024.** – (fwd Cllrs).

**RESOLVED:** *To be received.*

**2485 Next meeting will be held on Thursday 5<sup>th</sup> September 2024.**

**RESOLVED:** *Noted.*

**2486 Other matters/items for future Agendas at the Chairman's discretion**

**RESOLVED:**

- *The Clerk to pay for the three-year data subscription for the weather station and to add the dial onto the Parish Council asset register.*
- *The Clerk to order mixed bulbs from NWLDC.*

**Meeting ended 19:40.**