

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

20 NOVEMBER 2018 AT 6.30 PM

PRESENT: Mr R Ward - Chairman  
Mr BE Sutton – Vice-Chairman  
Mr DC Bill MBE, Mrs MA Cook, Mr WJ Crooks, Mr MA Hall, Mr E Hollick, Mr C Ladkin,  
Mr KWP Lynch, Mr K Nichols (for Mrs L Hodgkins), Mrs J Richards, Mrs H Smith,  
Mrs MJ Surtees and Ms BM Witherford

Also in attendance: Councillor CW Boothby, Councillor DS Cope, Councillor K Morrell  
and Councillor LJP O'Shea

Officers in attendance: Andrew Cunningham, Gemma Dennis, Rhiannon Hill, Rebecca  
Owen, Rob Parkinson, Michael Rice and Nicola Smith

253 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Hodgkins and Roberts,  
with the substitution of Councillor Nichols for Councillor Hodgkins authorised in  
accordance with council procedure rule 10.

254 MINUTES

It was moved by Councillor Lynch, seconded by Councillor Hollick and

RESOLVED – the minutes of the meeting held on 23 October 2018 be  
confirmed and signed by the chairman.

255 DECLARATIONS OF INTEREST

No interests were declared at this stage.

256 DECISIONS DELEGATED AT PREVIOUS MEETING

No interests were declared at this stage.

257 18/00643/FUL - LAND REAR OF 125 - 131 LUTTERWORTH ROAD, BURBAGE

It was noted that this application had been withdrawn.

258 18/00680/FUL - ASHCROFT, 4 PIPE LANE, ORTON ON THE HILL

Application for erection of two dwellings.

It was moved by Councillor Crooks, seconded by Councillor Sutton and

RESOLVED – permission be granted subject to the conditions contained  
in the officer's report.

Councillor Morrell left the meeting at this juncture.

259 18/00706/FUL - DUNLOP LIMITED, STATION ROAD, BAGWORTH

Application for erection of six dwellings with associated parking and landscaping.

Whilst generally in support of the recommendation, concern was expressed that the contribution to primary education of £8,103.06 would not facilitate improvements to education in Bagworth and it would be better used for recreational equipment in the village as requested by Bagworth & Thornton Parish Council. It was moved by Councillor Hall, seconded by Councillor Hollick and

RESOLVED –

- (i) Permission be granted subject to:
  - a. Prior completion of a S106 agreement to secure:
    - 100% affordable housing provision
    - A contribution of £8,103.06 for primary education to be used for recreational equipment in Bagworth subject to there being appropriate schemes within the parish; if no appropriate schemes are available, the contribution to be used for education;
  - b. The conditions contained in the officer's report;
- (ii) The interim Head of Planning be granted delegated powers to determine the final detail of planning conditions;
- (iii) The interim Head of Planning be granted delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

260 18/00843/FUL - OLD WOODLANDS, DESFORD LANE, RATBY

Application for change of use of a woodland area to leisure/camping site including associated access tracks, car park, camping zone, wooden eco pods, amphitheatre, mounds, tunnel maze and ponds.

It was moved by Councillor Cook, seconded by Councillor Sutton and

RESOLVED – permission be refused for the reasons contained in the officer's report and late items.

Councillors Boothby and O'Shea left the meeting at 7.34pm.

261 18/00827/FUL - NEWHAVEN, 12 WYKIN ROAD, HINCKLEY

Application for erection of seven dwellings with associated access.

Notwithstanding the officer's recommendation that permission be granted, concern was expressed that the space between the access road and number 12 Wykin Road was not adequate to mitigate the harm to the residents. It was moved by Councillor Bill and seconded by Councillor Nichols that they be minded to refuse the application for these reasons. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED – members be minded to refuse permission and the item be brought back to a future meeting.

262 17/00538/FUL - MORRISONS, 2 CLOVERFIELD, HINCKLEY

Application for creation of a second vehicular exit onto Stoke Road.

Notwithstanding the officer's recommendation that permission be granted subject to conditions, members expressed concern in relation to the proposal and suggestions were made that the exit should be restricted to left turn only or should be controlled by a barrier to allow use only at busy times. It was moved by Councillor Hollick and seconded by Councillor Sutton that the application be deferred for discussion of the points raised with the applicant. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED – the application be deferred.

263 18/00770/OUT - THE MEETING CENTRE, 1 MARCHANT ROAD, HINCKLEY

Application for demolition of existing D1 unit (1 The Meeting Centre) with proposed erection of 18 flats (outline – access, layout and scale only).

It was moved by Councillor Witherford, seconded by Councillor Cook and

RESOLVED –

- (i) Planning permission be granted subject to:
  - a. The prior completion of a S106 agreement to secure the following obligations:
    - Affordable housing: four units (tenure or unit size not specified)
    - Public open space facilities / public realm improvements: £20,259.94
  - b. Planning conditions outlined in the officer's report and late items.
- (ii) The interim Head of Planning be granted delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods;
- (iii) The interim Head of Planning be granted delegated powers to determine the final detail of planning conditions.

Councillor Cope left the meeting at 8.47pm.

264 18/00903/FUL - LAND ADJACENT 166 SAPCOTE ROAD, BURBAGE

Application for erection of a two storey, four bedroom, dwelling.

Notwithstanding the officer's recommendation that permission be granted subject to conditions, some members felt that the development should not be permitted as it was outside of the settlement boundary and would cause harm to the character and appearance of the countryside. It was moved by Councillor Hall and seconded by Councillor Lynch that the committee be minded to refuse permission. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED – members be minded to refuse permission and the application be brought back to a future meeting.

Councillor Ladkin left the meeting at 9.12pm.

265 17/01338/FUL - FORMER COUNCIL DEPOT, MIDDLEFIELD LANE, HINCKLEY

Application for residential development of 54 dwellings.

It was moved by Councillor Sutton, seconded by Councillor Bill and

RESOLVED –

- (i) Permission be granted subject to:
  - a. The prior completion of a S106 agreement to secure the following obligations:
    - 100% affordable housing provision
    - Play and open space contributions:
      - Provision: £66,995.65
      - Maintenance: £46,219.60
    - Health contribution: £27,198.60
    - Travel packs for the future occupiers (£52.85 per pack)
    - Six month bus passes (two per dwelling) at approximately £360 per pass;
  - b. Conditions contained in the officer's report;
- (ii) The interim Head of Planning be granted delegated powers to determine the final detail of planning conditions;
- (iii) The interim Head of Planning be granted delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

266 17/01050/OUT - HORNSEY RISE MEMORIAL HOME, BOSWORTH ROAD, WELLSBOROUGH

Application for demolition of care home building and erection of up to 20 dwellings including conversion of former chapel to dwelling and associated access, drainage and landscaping works (in part).

It was moved by Councillor Crooks, seconded by Councillor Hall and

RESOLVED –

- (i) Permission be granted (access only) subject to:
  - a. The prior completion of a S106 agreement to secure the following obligations:
    - A commuted sum of £354,000 for off-site affordable housing provision in lieu of 40% on-site provision
    - Education facilities contribution of £130,538.02
    - Health facilities contribution of £5,512.32

- Permanent future management and maintenance of the woodland and natural landscaping buffer (estimated cost £110,000).
- b. Planning conditions contained in the officer's report;
- (ii) The interim Head of Planning be granted delegated powers to determine the final detail of planning conditions;
  - (iii) The interim Head of Planning be granted delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

267 18/00805/FUL - LAND NORTH OF CADEBY LANE, CADEBY

Application for the erection of three log cabins for holiday let purposes.

Councillor Richards proposed that permission be granted. In the absence of a seconder, the motion was not put to the vote.

Notwithstanding the officer's recommendation that permission be granted and following an indication at the previous meeting that members were minded to refuse permission, concern was expressed that the application was outside of the settlement boundary and had an impact on the character and landscape of the area contrary to policy DM4 and the design and materials of the cabins were not in keeping with surrounding properties and it was therefore contrary to policy DM10. It was moved by Councillor Cook and seconded by Councillor Hall that permission be refused for these reasons.

The time having reached 9.30pm, it was moved by Councillor Witherford, seconded by Councillor Crooks and

RESOLVED – the meeting be permitted to continue after 9.30pm.

On returning to the discussion and the motion of Councillor Cook, seconded by Councillor Hall that permission be refused, the motion was put to the vote and subsequently CARRIED and it was therefore

RESOLVED – planning permission be refused for the following reasons:

- (i) The timber cabins, by virtue of their location outside of a defined settlement, along with the creation of an access road, would introduce urbanising features within a countryside location which would be detrimental to the intrinsic value and open character of the surrounding countryside, contrary to Policy DM4 of the Site Allocations and Development Management Policies DPD (adopted July 2016);
- (ii) The timber cabins by virtue of their design, form and materials would not respect the materials or design of adjoining buildings. The cabins would therefore have an adverse effect on the visual amenity of the surrounding area, contrary to Policy DM10 of the Site Allocations and Development Management Policies DPD (adopted July 2016).

268 NAILSTONE COLLIERY, WOOD ROAD, NAILSTONE - DEED OF VARIATION

Following deferral of this report at a previous meeting for discussions with the highways authority, it was moved by Councillor Crooks, seconded by Councillor Nichols and

RESOLVED –

- (i) The deed of variation to the signed section 106 agreement for planning application reference 06/00980/OUT, 10/00851/EXT and 14/00572/CONDIT be agreed as follows:
  - a. to amend the off-site highways works to those outlined in the following plans:
    - 018750 CA-0-G00-DR-SE-1000-P09
    - 4752.000H1/1/001
    - 4752.000H1/1/002
    - 4752.000H1/1/003
  - b. Provision of footpaths from Nailstone to the application site;
  - c. Provision of bus stops within the site and on Bagworth Road and Grange Road;
- (ii) The interim Head of Planning be granted delegated powers to determine the final wording of the S106.

269 MAJOR PROJECTS UPDATE

The update on major projects was noted.

270 PLANNING ENFORCEMENT UPDATE

The update on planning enforcement was noted.

271 APPEALS PROGRESS

The progress in relation to appeals was noted.

(The Meeting closed at 9.48 pm)

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CHAIRMAN