

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
PLANNING AND REGULATORY COMMITTEE
10th AUGUST 2004 AT 6.30 P.M.

PRESENT: Mr. R.J. Furniss - Chairman
Mr. D.E. Hinton - Vice-Chairman

Mrs. M. Aldridge, Mr. P.T. Andrews, Mr. D.C. Bill, Mr. C.W. Boothby, Mr. D.R. Bown, Mr. J.C. Bown, Mrs. C.M. Claridge, Mrs. M.A. Cook, Mr. C.G. Joyce, Mr. M.R. Lay, Mrs. M.L. Sherwin, Mrs. E.A. Spencer and Mrs. R.W. Wright.

In accordance with Council Procedure Rule 4.4, Mr. N.B.L. Davis and Mr. R. Ward also attended the meeting.

Officers in attendance: Ms. K. Fenney, Mr. G.B. Gethin, Mrs. J. Kelly, Mr. C. Merriman and Mr. P. Reid.

127 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted from the following and substitutions authorised as indicated in accordance with Council Procedure Rule 4.3:-

Mrs. R. Camamile by Mrs. Aldridge
Mr. R.D. Ellis by Mr. J.C. Bown
Mrs. D. Finney - no substitution
Mr. J.E. Stanley by Mr. Bill
Mr. K. Vessey by Mr. Lay

128 MINUTES (PR19)

On the motion of Mr. Andrews, seconded by Mr. Boothby, it was

RESOLVED - the minutes of the meeting held on 13th July 2004 be confirmed and signed by the Chairman.

129 DECLARATIONS OF INTEREST

Interests were declared as follows:-

Mr. Boothby - planning application number 04/00745/FUL
Mrs. Claridge and Mrs. Sherwin - planning application number 04/00583/FUL.

130 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (PR20)

The Committee considered a schedule of planning applications, together with a list of late items, and the recommendations of the Head of Planning and Leisure.

It was moved by Mrs. Aldridge and seconded by Mr. Hinton that the recommendations of the Head of Planning and Leisure contained in the schedule submitted, as amended by the list of late items, be approved.

- a) 04/00558/FUL - erection of one dwelling, 36 Manor Street, Hinckley for Mr. Craig Parr

An amendment, proposed by Mrs. Sherwin and seconded by Mr. Bill, the effect of which would have been to refuse this application, was withdrawn while a further amendment was proposed by Mr. Lay and seconded by Mr. D.R. Bown to defer consideration of the application pending clarification of ownership of the land over which vehicles were to pass to gain access to this site. The further amendment having been put to a vote and declared carried, it was

RESOLVED - consideration of planning application number 04/00558/FUL be deferred pending clarification of ownership of the land over which vehicles are to pass to gain access to this site.

Mrs. Claridge and Mrs. Sherwin declared their interests in planning application number 04/00583/FUL and withdrew from the meeting at 6.54 p.m. whilst it was considered, returning at 6.56 p.m.

Mr. Boothby declared his interest in planning application number 04/00745/FUL and withdrew from the meeting at 7 p.m. whilst it was considered, returning at 7.03 p.m.

- b) 04/00805/FUL - conversion of existing hosiery factory to dwelling (resubmitted scheme) Croxall Hosiery 26/28 Station Road, Stoke Golding for Mr. I.M. and Mrs. M. Croxall

Notwithstanding the recommendation of the Head of Planning and Leisure and previous decisions taken in respect of this application, Members did not consider that the proposal would have a detrimental affect on the visual amenities of the already diverse street scene. Consequently, a motion, proposed by Mrs. Cook and seconded by Mrs. Sherwin, having been put to a vote and declared carried, it was

RESOLVED - this application be permitted subject to the following conditions:-

1. The development hereby permitted shall be begun within five years from the date of this permission.
2. Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwelling shall be deposited with and approved in writing by the Local Planning Authority.
3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, development within Schedule 2, Part 1 Class A-E shall not be carried out before planning permission for such development has first been granted by the Local Planning Authority.
4. The height of the boundary wall shall be completed in accordance with details submitted to and approved in writing with the Local Planning Authority before the proposed dwelling is first occupied.
5. The proposed vehicular access gates shall be set back a minimum distance of 5 metres from the highway boundary and shall be made to open inwards only.

6. The access shall be surfaced in tarmacadam or similar bound materials for the first 5 metres behind the highway boundary before the dwelling is first occupied.
7. Notwithstanding the submitted details, a 2 metre by 2 metre pedestrian visibility splay shall be provided on the highway boundary on the southern side of No. 24's vehicular access onto Station Road. Nothing within the splay shall be erected or allowed to grow in excess of 0.6 metres above the level of the adjoining footway.
8. Drainage shall be provided within the site such that surface water does not drain into the public highway.
9. Before the development is brought into use, a vehicular turning space shall be constructed within the curtilage of the site and shall be retained for such use at all times thereafter.
10. Before any development is commenced on site a landscaping scheme shall be submitted to and approved by the Local Planning Authority. The scheme shall indicate the treatment proposed for all ground surfaces together with the species and materials proposed and their disposition.
11. The approved landscaping scheme shall be carried out during the first appropriate planting season following the date when the proposed dwelling is ready for occupation. The scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted.
12. The proposed garaging and parking area shall be retained for such use at all times unless otherwise agreed in writing with the Local Planning Authority.
13. No development approved by this permission shall be commenced, until the following has been undertaken by a competent person and approved in writing by the Local Planning Authority, unless the Local Planning Authority dispenses with any such requirements in writing.
 - a) A desktop study shall be undertaken to identify and evaluate all potential sources of contamination that might be expected to be present due to previous site uses, and their impacts on land and/or water. The desktop study shall establish a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors and the linkages between them. Two full copies of the desktop study report shall be submitted to the Local Planning Authority.
 - b) Using the information obtained from the desktop study, a site investigation scheme, in line with current best practice, shall be developed to fully characterise the nature and extent of any land and/or water contamination. Two full copies of the site investigation scheme shall be submitted to the Local Planning Authority. The scheme may form part of the desktop study.

- c) Following approval in writing by the Local Planning Authority of the site investigation scheme and its completion, a report detailing the findings of the investigation shall be submitted providing an appropriate risk assessment relating to the receptors identified and the refinement of the conceptual model. The report shall include a method statement detailing the necessary remediation proposals, in line with current best practice for the removal, containment or treatment, of the land and/or water contamination identified on site. Two full copies of the site investigation report shall be submitted to the Local Planning Authority.
- d) Following approval in writing by the Local Planning Authority of the site investigation report and remediation proposals, the proposals shall be implemented as per the approved method statement. No deviations from the scheme shall be made without the written approval of the Local Planning Authority.
- e) If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority, for an addendum to the method statement. This addendum must detail how this unsuspected contamination shall be dealt with and from the date of approval the addendum(s) shall form part of the method statement.
- f) Following completion of the remediation proposals detailed in the method statement, a completion report shall be submitted to the Local Planning Authority that provides verification that the agreed proposals have been undertaken as per the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Two full copies of the completion report shall be submitted to the Local Planning Authority.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.
2. To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.
3. In the interests of visual amenity and to safeguard amenities of neighbouring properties to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.
4. In the interests of visual amenity.
5. To enable a vehicle to stand clear of the highway whilst the gates are opened.
6. In the interests of road safety to accord with policies BE1 and T5 of the adopted Hinckley & Bosworth Local Plan.

7. To ensure that an adequate line of vision is available in the interests of road safety to accord with policy BE1 and T5 of the Hinckley & Bosworth Local Plan.
8. To ensure satisfactory provisions are made for the drainage of the site.
9. To ensure that vehicles may enter and leave the site in a forward direction in the interests of road safety to accord with policy BE1 of adopted Hinckley & Bosworth Local Plan.
10. To enhance the appearance of the development to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.
11. To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.
12. To ensure that adequate off-street parking facilities are available to accord with policy BE1 and T5 of the adopted Hinckley & Bosworth Local Plan.
13. To ensure that the site is safe from contamination.

Notes to Applicant:-

1. This permission does not grant approval under the Building Act 1984 and the Building Regulations 1991 for which a separate application may be required. You are advised to contact the Building Control Section.
2. All works within the limits of the highway, with regard to the access, shall be carried out to the satisfaction of the Western Divisional Surveyor (telephone 01530 262380).
3. Further advice on compliance with this condition may be obtained by contacting the Environmental Services Department on 01455 255643.

RESOLVED - the remaining recommendations of the Head of Planning and Leisure, as set out in the schedule submitted and amended by the list of late items and/or as indicated above, be approved.

131 PLANNING APPLICATION NUMBER 04/00336/FUL - RESIDENTIAL DEVELOPMENT AND CONVERSION INTO 19 RESIDENTIAL UNITS - 30/44 SHILTON ROAD, BARWELL (PR21)

Further to minute number 52, the Committee was informed that at the time this application had been approved, a request from the Education Authority for a contribution had been omitted. On the motion of Mr. Lay, seconded by Mr. Andrews, it was

RESOLVED - the Section 106 Agreement incorporate the developer contribution relating to education of £2,628.

132 APPEALS LODGED AND DETERMINED (PR22)

A summary was submitted of appeals lodged and determined since the last meeting of this Committee. On the motion of Mr. Andrews, seconded by Mrs. Aldridge, it was

RESOLVED - the report be noted.

133 APPEALS - PROGRESS (PR23)

A schedule was submitted indicating the stage at which various appeals against planning decisions had reached. On the motion of Mrs. Spencer, seconded by Mrs. Sherwin, it was

RESOLVED - the report be noted.

(The meeting closed at 7.35 p.m.)