

HINCKLEY AND BOSWORTH BOROUGH COUNCIL  
PLANNING AND REGULATORY COMMITTEE  
7<sup>th</sup> SEPTEMBER 2004 AT 6.30 P.M.

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

Mrs. M. Aldridge, Mr. C.W. Boothby, Mr. D.R. Bown, Mr. J.C. Bown, Mrs. C.M. Claridge, Mr. W.J. Crooks, Mrs. D. Finney, Mr. M.A. Hall, Mr. C.G. Joyce, Mrs. M.L. Sherwin, Mrs. E.A. Spencer, Mr. J.E. Stanley, Mr. K Vessey and Mrs. R.W. Wright.

In accordance with Council Procedure Rule 4.4, Messrs. D.C. Bill and N.B.L. Davis also attended the meeting.

Officers in attendance: Mr. B. Cullen, Ms. K. Fenney, Mrs. J .Kelly, Mr. C. Merriman, Mrs. P.I. Pitt and Mr. P. Reid.

166 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Mr. P.T. Andrews, Mrs. R. Camamile, Mrs. M.A. Cook and Mr. R.D. Ellis and the following substitutions authorised in accordance with Council Procedure Rule 4.3:-

Mrs. Aldridge for Mrs. Camamile  
Mr. J.C. Bown for Mr. Ellis  
Mr. Hall for Mr. Andrews

167 MINUTES (PR24)

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

RESOLVED - the minutes of the meeting held on 10<sup>th</sup> August 2004 be confirmed and signed by the Chairman.

168 ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

The Chairman indicated that he had agreed to take as a late item a report relating to planning application No. 04/00361/CONDIT, details of which were contained in this evening's late items list, the reason for the urgency being that following further discussions with the applicant planning permission could now be issued, subject to conditions.

169 DECLARATIONS OF INTEREST

Interests were declared as follows:-

Mr. Bill, Mr. Crooks, Mrs. Finney, Mr. Joyce and Mr. Stanley - planning application number 04/00912/COU

Mrs. Claridge, Mr. Hall and Mrs. Sherwin - planning application number 04/00934/COU.

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. Spencer and seconded by Mrs. Sherwin 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) 04/00721/COU - Change of use from post office to residential, post office and general stores, 15 Main Street, Nailstone - H. Fray

Notwithstanding the recommendation of the Head of Planning & Leisure that this be refused Members were of the opinion that sufficient evidence had been provided as to why these premises could not be retained as a post office and it was proposed by Mr. Crooks, seconded by Mr. Furniss and following a vote

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

1. The development hereby permitted shall be begun within five years from the date of this permission.
2. The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling unless previously agreed in writing with the Local Planning Authority.
3. Car parking provision within the curtilage shall be maintained on the basis of 2 spaces for up to 3 bedrooms and 3 spaces for 4 or more bedrooms.

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 Hinckley & Bosworth Local Plan.
3. To ensure that adequate off-street parking facilities are available to accord with policy T5 of the Hinckley & Bosworth Local Plan.

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.

Mr. Bill left the meeting at 7.30 p.m.

- (b) 04/00833/CONDIT - Removal of time limiting conditions of planning permissions 75/0986, 83/0799, 85/0563, 86/0345, 88/0144, 89/1490, 90/0865, 91/0020, 92/0103, 96/00808, 97/00347, 02/00359, 03/00393, 03/00519 and 04/00584 Jackson Brothers, Brascote Lane, Cadeby - Jackson Pre-cast Limited

Despite officers' recommendations that this be refused the Head of Planning & Leisure referred to relevant information received following the preparation of this evening's late items list.

Mr. Bill returned to the meeting at 7.35 p.m.

In view of the wide implications now brought to officers' attention the Head of Planning & Leisure suggested that if the Committee was minded to now support this application a personal permission could be granted subject to a range of detailed conditions and a condition limiting occupation to the Applicant only. Consequently it was proposed by Mr. D.R. Bown, seconded by Mrs. Aldridge, and following a vote

RESOLVED - a personal planning consent be granted to Jackson Pre-cast Limited subject to the conditions referred to above, the details of which are delegated to the Head of Planning & Leisure.

(c) 04/00855/FUL - Extension and alterations to restaurant, Windsor Tiffin, 47 Windsor Street, Burbage - Mr. Mamoon Jahadba

Notwithstanding the recommendation of the Head of Planning & Leisure that this application be refused, Members were of the opinion that as a valuable asset within the community this proposal should be supported. Consequently it was proposed by Mrs. Sherwin, seconded by Mr. Hall, and following a vote

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

1. The development hereby permitted shall be begun within five years from the date of this permission.
2. This permission relates to the application as revised by amended plan 5911/006A received by the Local Planning Authority on 20<sup>th</sup> August 2004.
3. The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling unless previously agreed in writing with the Local Planning Authority.
4. Before development commences details of the extract ventilation system shall be submitted to and approved in writing by the Local Planning Authority. The approved system shall be installed and maintained in accordance with the approved details at all times.

The reasons for the conditions are:-

1. To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.
2. To define the permission.
3. To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the Hinckley & Bosworth Local Plan.
4. To safeguard amenities of neighbouring properties to accord with policy BE1 of the Hinckley & Bosworth Local Plan.

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. In accordance with Section 76 of the Town & Country Planning Act 1990, the developer's attention is directed to the following items regarding the detailed design of the development hereby permitted relating to buildings to which Section 4 of the Chronically Sick and Disabled Persons Act 1970 applies:-
  - a) Relevant provision in Sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970 and any subsequent amending legislation, and
  - b) The Code of Practice for Access for the Disabled to buildings by the British Standards Institution, reference BD5810:1979.
3. The premises must fully comply with:-
  - a) The Food Safety (General Food Hygiene) Regulations 1995
  - b) The Health & Safety At Work Etc. Act 1974
  - c) The Code of Practice for Licensed Premises

(d) 04/00881/FUL - Erection of security fencing and gates, doctors' surgery, Back Lane, Market Bosworth - Dr. Jones & Partners

Whilst in agreement with the recommendation of the Head of Planning & Leisure it was proposed by Mrs. Aldridge, seconded by Mr. Crooks, and

RESOLVED - this application be refused in accordance with the officer's recommendation but officers continue to discuss appropriate security measures with the applicants in an attempt to produce a more acceptable scheme.

Mr. Bill, Mr. Crooks, Mrs. Finney, Mr. Joyce and Mr. Stanley, having declared an interest in planning application 04/00912/COU, withdrew from the meeting at 8.05 p.m. whilst this was considered, returning at 8.07 p.m., except for Messrs. Stanley and Bill who returned at 8.09 p.m. and 8.10 p.m., respectively.

Mrs. Claridge, Mr. Hall and Mrs. Sherwin, having declared an interest in the following planning application withdrew at 8.08 p.m. whilst this was considered.

(e) 04/00934/COU - Change of use from agriculture to recreational land, Burbage Fields Farm, Bullfurlong Lane, Burbage - Burbage Parish Council

In the light of the officer's recommendation for approval and late information received from the Highways Agency directing that planning permission should be refused, it was proposed by Mr. D.R. Bown, seconded by Mrs. Wright and following a vote

RESOLVED - this application be deferred pending the receipt of additional information from Burbage Parish Council and, subject to the Head of Planning & Leisure being satisfied with this, he be granted delegated authority to issue the subsequent planning permission.

Mrs. Claridge, Mr. Hall and Mrs. Sherwin returned to the meeting at 8.30 p.m.

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

Mrs. Aldridge left the meeting at 8.28 p.m.

171 APPEALS LODGED AND DETERMINED (PR26)

Members received details of appeals lodged and determined since the last committee meeting and on the motion of Mr. Furniss, seconded by Mr. Hinton, it was

RESOLVED - the report be noted.

Mr. Vessey left the meeting at 8.30 p.m.

172 APPEALS - PROGRESS (PR27)

The Committee received information as to the stages which various appeals had reached. It was moved by Mr. Crooks, seconded by Mr. J.C. Bown and

RESOLVED - the report be noted.

(The meeting closed at 8.33 p.m.)