

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
PLANNING AND REGULATORY COMMITTEE
25th JANUARY 2005 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, Mrs. R. Camamile,
Mrs. C.M. Claridge, Mrs. M.A. Cook, Mr. W.J. Crooks, Mr. R.D. Ellis, Mrs.
D. Finney, Mr. C.G. Joyce, Mr. J.E. Stanley, Mr. K. Vessey, Mr. R. Ward
and Mrs. R.W. Wright.

In accordance with Council Procedure Rule 4.4, Messrs. D.C. Bill, K.A.J. Hunnybun and M.R. Lay also attended the meeting.

Officers in attendance: Mrs. J. Clayton, Mrs. T. Darke, Ms. C. Laver, Mr. C. Merriman, Mr. R. Palmer, Mrs. P.I. Pitt and Mr. P. Reid.

348 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Mr. P.T. Andrews, Mrs. M.L. Sherwin and Mrs. E.A. Spencer and the following substitutions authorised in accordance with Council Procedure Rule 4.3:-

Mrs. Aldridge for Mr. Andrews
Mr. Ward for Mrs. Sherwin.

349 MINUTES (PR47)

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

RESOLVED - the minutes of the meeting held on 5th January 2005 be confirmed and signed by the Chairman.

350 DECLARATIONS OF INTEREST

Interests were declared as follows:-

Mrs. Camamile - a personal and prejudicial interest in planning application no. 04/01329/FUL by virtue of her association with Orbit Housing Association.

Mr. Furniss - a personal interest in planning application no. 04/01376/COU by virtue of his farming land adjacent to the application area.

351 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (PR48)

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

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

- (a) 04/00231/FUL - Residential development of 43 dwellings and associated works, Bagworth Colliery Site, Station Road, Bagworth - Bellway Homes (East Midlands) Ltd.

On the motion of Mr. Ellis, seconded by Mr. Vessey, it was

RESOLVED - consideration of this application be deferred to enable a site visit to be undertaken.

Mrs. Camamile, having declared an interest in the following item, left the meeting at 7.35 p.m. whilst this was considered.

- (b) 04/01329/FUL - Residential development of 116 no. dwellings, football ground, Middlefield Lane, Hinckley - Radleigh Homes

Although generally supportive of this development Members expressed concerns regarding the width of the proposed landscaping strip, the variance between levels of land and permitted development rights, and on the motion of Mrs. Wright, seconded by Mr. Furniss, it was

RESOLVED - this application be approved in accordance with the recommendation of the Acting Head of Planning and Leisure subject to the following additional conditions:-

- 23 No development shall commence on site until such time as the existing and proposed ground levels and proposed finished floor levels for the dwellings hereby approved adjoining the southern boundary have been submitted to and approved in writing by the Local Planning Authority. The ground and finished floor levels shall then be implemented in accordance with the approved details.
- 24 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.
- 25 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no windows other than those shown on the approved plans shall be inserted into plots 1-44 without the prior permission of the Local Planning Authority having been granted on a specific application.
- 26 No development shall commence until the finished roof heights of the proposed dwellings on plots 1-44 have been submitted and approved in writing with the Local Planning Authority, and implemented in accordance with the agreed details.
- 27 The boundary treatment indicated on plan reference D008 received by the Local Planning Authority on 21st January 2005 showing a 1.8 metre high close boarded fence shall be erected within seven days following commencement of development unless otherwise agreed in writing with the Local Planning Authority.

Mrs. Camamile returned to the meeting at 7.45 p.m., at which time Mr. Boothby left the meeting, returning at 7.47 p.m. Additionally the following withdrew from the meeting at the times indicated:-

Mrs. Aldridge and Mr. Hinton (7.55 p.m.), Mr. Vessey (8.00 p.m.), Messrs. Hunnybun and Lay (8.05 p.m.), Mr. Crooks (8.08 p.m.)

Mrs. Aldridge returned at 8.00 p.m., Mr. Vessey at 8.05 p.m. and Messrs. Crooks and Hunnybun at 8.11 p.m.

Mr. Furniss, having declared an interest in the following item left the meeting at 8.18 p.m. whereupon on the motion of Mrs. Claridge, seconded by Mrs. Wright, it was

RESOLVED - Mrs. Aldridge be appointed Chairman for consideration of the following item only.

- (c) 04/01376/COU - Change of use from agriculture to recreation to create two football pitches with associated changing and parking facilities, Sunnyside Nurseries, Upton Lane, Stoke Golding - R.H. Woodhead and Sons

Mr. Bill withdrew from the meeting at 8.20 p.m.

Notwithstanding the recommendation of the Acting Head of Planning and Leisure for refusal it was moved by Mr. Ward, seconded by Mrs. Claridge, and

RESOLVED - consideration of this application be deferred pending the outcome of further discussions regarding the proposed facility at a forthcoming meeting of Higham on the Hill Parish Council.

Mr. Vessey left the meeting at 8.31 p.m. and Mr. Furniss returned at 8.32 p.m.

At this juncture the Acting Development Control Officer indicated that she wished to clarify a point relating to planning application number 04/1329/FUL considered earlier at this meeting. Mrs. Camamile, again having declared her interest in this item, left the meeting at 8.33 p.m. Members then received information that the width of the landscaping strip referred to earlier varied between 2 metres and 5-6 metres.

Although not listed to speak a representative of Barlestone Parish Council was permitted to speak on planning application no. 04/01398/FUL.

Mr. Ellis left the meeting at 8.47 p.m., returning at 8.57 p.m.

RESOLVED - the remaining recommendations of the Acting 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.

In view of the lateness of the hour and in accordance with Council Procedure Rule 9 it was moved by Mr. Furniss, seconded by Mr. Bown, and

RESOLVED - this meeting be now extended.

352 DRAFT REVISED CIRCULAR ON PLANNING OBLIGATIONS (PR49)

The Acting Head of Planning and Leisure invited Members' comments on the above and on the motion of Mrs. Camamile, seconded by Mr. Ellis, it was

RESOLVED - the officers' comments contained in the report form the basis of this Council's response to the Government.

353 THE TOWN AND COUNTRY PLANNING (TEMPORARY STOP NOTICE) (ENGLAND) DRAFT REGULATIONS AND CIRCULAR (PR50)

The Acting Head of Planning and Leisure drew the Committee's attention to the contents of the above, together with officers' comments and indicated that the legal implications omitted from his report were contained in this evening's late items list.

On the motion of Mr. Bown, seconded by Mrs. Camamile, it was

RESOLVED - this Committee endorse the officers' comments on the proposed legislation.

354 LOCAL DEVELOPMENT SCHEME FOR THE LOCAL PLAN REVIEW (PR51)

Prior to the officer's presentation the Chairman indicated that the recommendation contained in this report should refer to endorsement by this Committee and not the Cabinet. Additionally updated information was contained in tonight's late items list. The contents of the draft scheme had already been approved by the Local Development Framework Working Party.

Members then received a brief presentation on the above and their agreement was sought to a 3 year programme and timetable for the preparation of this Framework to be published and submitted to the Secretary of State.

Mrs. Cook and Mr. Ward left the meeting at 9.23 p.m.

On the motion of Mr. Ellis, seconded by Mr. Furniss, it was

RESOLVED - the proposed Local Development Scheme as recommended by the Working Party be endorsed by this Committee.

Mr. Boothby left the meeting at 9.25 p.m., at which time Mrs. Cook and Mr. Ward returned. Mrs. Aldridge and Mrs. Wright left at 9.27 p.m.

355 BOROUGH OF HINCKLEY AND BOSWORTH (LAND OFF NAILSTONE ROAD, BARTON IN THE BEANS) TREE PRESERVATION ORDER 2004 (PR52)

Members were requested to consider the confirmation of the above and on the motion of Mr. Bown, seconded by Mr. Ellis, it was

RESOLVED - the above Tree Preservation Order be confirmed with the modifications that the trees marked T1 and T2 be removed from the Order and trees marked T3, T4, T5, T6 and T7 remain protected by the Order.

356 APPEALS LODGED AND DETERMINED (PR53)

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

RESOLVED - the report be noted.

357 APPEALS - PROGRESS (PR54)

Schedules were submitted indicating the stage at which various appeals against planning decisions had reached. On the motion of Mrs. Camamile, seconded by Mr. Ellis, it was

RESOLVED - the report be noted.

(The meeting closed at 9.35 p.m.)