

HINKLEY AND BOSWORTH BOROUGH COUNCIL
PLANNING AND REGULATORY COMMITTEE
22nd FEBRUARY 2005 AT 6.30 P.M.

PRESENT: MR. R.J. FURNISS - CHAIRMAN
 MR. D.E. HINTON - VICE-CHAIRMAN

Mr. C.W. Boothby, Mr. D.R. Bown, Mrs. C.M. Claridge, Mrs. M.A. Cook, Mr. W.J. Crooks, Mr. R.D. Ellis, Mrs. D. Finney, Mr. C.G. Joyce, Mrs. M.L. Sherwin, 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, J.C. Bown, N.B.L. Davis, K.A.J. Hunnybun and M.R. Lay also attended the meeting.

Officers in attendance: Mrs. J. Clayton, Mr. A. Collinson, Mrs. T. Darke, Mrs. P.I. Pitt and Mr. P. Reid.

403 APOLOGIES AND SUBSTITUTIONS

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

Mrs. Aldridge for Mrs. Camamile
 Mr. Ward for Mrs. Spencer.

404 MINUTES (PR55)

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

RESOLVED - the minutes of the meeting held on 25th January 2005 be confirmed and signed by the Chairman.

405 DECLARATIONS OF INTEREST

Interests were declared as follows:-

Mr. Furniss - a personal interest in planning application no. 04/01376/COU by virtue of his farming land adjacent to the application area and, on behalf of all Members of the Conservative Group present (namely himself and Mr. Boothby, Mrs. Claridge, Mrs. Cook, Mr. Davis, Mr. Hinton, Mrs. Sherwin, Mr. Ward and Mrs. Wright) a personal interest in planning application no. 05/00039/FUL by virtue of the applicant being known to them.

Mrs. Sherwin - a prejudicial interest in planning application no. 04/01455/COU by virtue of being a member of Burbage Parish Council.

406 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (PR56)

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. Crooks 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.

Mr. Bill left the meeting at 6.37 p.m., returning at 6.42 p.m.

On the motion of Mr. D.R. Bown, seconded by Mr. Crooks, it was

RESOLVED - in order to accommodate a member of the public wishing to speak and needing to travel, item 19 on the schedule be considered first.

- (a) 04/01503/OUT - Commercial and residential development, Dawkins International Ltd., Barton Road, Congerstone - Dawkins International Ltd.

Although generally supportive of the proposal the Committee expressed concerns regarding construction vehicles' route onto the site and vehicle parking off-site and on the motion of Mr. Furniss seconded by Mr. Ward 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 condition and note to applicant:-

No development shall take place until details of a scheme for the routing of construction traffic and measures to be taken to prevent the deposit of materials, i.e. mud from vehicles leaving the site during construction works being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. Such measures shall be retained and fully implemented for the duration of the construction period.

Note to Applicant

The applicant is advised that in view of the location of the site and the need to reduce the impact on the nearby residents, construction vehicles should be parked and load/unload within the application site.

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

Although generally sympathetic to this development, concerns were raised that should planning permission be granted, the financial contribution towards open space provision should be used instead to enhance community facilities. Additionally, affordable housing units should be made available in the first instance to local people on the Council's current housing list. It was moved by Mr. Boothby, seconded by Mrs. Claridge and

RESOLVED - this application be approved in accordance with the recommendation of the Acting Head of Planning and Leisure and the financial contribution towards public open space provision used instead towards community facilities in Bagworth. In addition, the affordable housing units shall be made available, initially, for residents of Bagworth in accordance with the Borough Council's cascade approach to this type of housing provision. These aspects of the development to be covered as part of the Section 106 Legal Agreement accompanying the planning permission.

Mr. Bill withdrew from the meeting at 7.15 p.m. and returned at 7.16 p.m.

- (c) 04/00994/FUL - Residential development of 162 no. dwellings, land off Montgomery Road, Earl Shilton - David Wilson Homes

An objector listed to speak on this application did not attend.

In view of outstanding issues to be resolved between interested parties, it was moved by Mr. Ellis seconded by Mr. D.R. Bown and

RESOLVED - consideration of this application be deferred for one month to allow for further discussions between the parties referred to above.

Mr. Furniss, having declared an interest in planning application no. 04/01376/COU left the meeting at 7.35 p.m., as did Mr. Stanley, at which time Mr. Hinton took the Chair for consideration of that item only. Mr. Stanley returned at 7.37 p.m. and Mr. Furniss at 7.38 p.m.

- (d) 04/01397/COU - Change of use to (A3) hot food takeaway, Allotments Florists, 57 Wood Street, Earl Shilton - Mr. W.S. Fan

On the motion of Mr. D.R. Bown, seconded by Mr. Ellis, it was

RESOLVED - this application be refused for the following reasons:-

- 1 In the opinion of the Local Planning Authority the proposal would result in an over concentration of non-retail Class A3 uses within the Earl Shilton Local Shopping Centre which would jeopardise the balance of shopping and other uses by eroding the retail activity and character of the locality. Therefore the proposal is contrary to policy RET8 of the adopted Hinckley and Bosworth Local Plan.
- 2 In the opinion of the Local Planning Authority the proposal would have a seriously detrimental effect on the amenities enjoyed by occupiers of adjoining residential properties and the general character of the locality in terms of general disturbance and traffic generation. Therefore the proposal is contrary to policies RET8, RET10 and BE1 of the adopted Hinckley and Bosworth Local Plan.

Mr. Bill left the meeting at 7.45 p.m., returning at 7.52 p.m.

Mrs. Claridge declared an interest in planning application no. 04/01455/COU and left the meeting at 8.00 p.m., as did Mrs. Sherwin who had indicated her interest earlier. Mr. Hunnybun left the meeting at 8.04 p.m., returning at 8.08 p.m., as did Mrs. Claridge and Mrs. Sherwin. Mr. Ward withdrew from the meeting at 8.12 p.m.

- (e) 04/01467/CONDIT - Variation of condition 3 of planning consent 02/00401/COU to allow opening until 4 a.m. on Thursday, Friday and Saturday evenings, 7 The Horsefair, Hinckley - Mr. M. Dogal

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

RESOLVED - this application be refused for the following reason:-

In the opinion of the Local Planning Authority, an extension to the existing opening hours would have a detrimental effect on the character of the area and amenities of the occupiers of nearby properties within the Hinckley Town Centre by reason of potential litter and disturbance. Therefore the proposal would not accord with policies BE1 and RET10 of the adopted Hinckley and Bosworth Local Plan and the Supplementary Planning Guidance on Shopping and Shop fronts (adopted January 2003).

Mr. J.C. Bown left the meeting at 8.31 p.m. and Messrs. Lay and Vessey at 8.35 p.m. Mr. Boothby left at 8.38 p.m. returning at 8.42 p.m.

Mr. Furniss, having earlier declared an interest in planning application no. 05/00039/FUL on behalf of those members of the Conservative Group present (Mr. Boothby, Mrs. Claridge, Mrs. Cook, Mr. Davis, Mr. Hinton, Mrs. Sherwin and Mrs. Wright) left the meeting at 8.57 p.m., together with all of these Members, whereupon on the motion of Mr. Stanley, seconded by Mrs. Finney, it was

RESOLVED - Mr. Crooks be appointed Chairman for consideration of this item only.

Those members of the Conservative Group named above returned to the meeting at 8.58 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.

407 DRAFT CONSULTATION PAPER: PLANNING FOR GYPSY AND TRAVELLER SITES (PR57)

The Acting Head of Planning and Leisure reported the contents of the above, produced by the Office of the Deputy Prime Minister (ODPM) and intended to replace Circular 1/94: Gypsy Sites and Planning. Members' attention was also drawn to information contained in this evening's late items list relating to paragraph 3.14 of the report of the Acting Head of Planning and Leisure.

Mr. Vessey returned to the meeting at 9.02 p.m., leaving again at 9.06 p.m.

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

RESOLVED - the recommendations in bold type set out in the report of the Acting Head of Planning and Leisure be approved and responses made accordingly to the ODPM.

408 DRAFT REVISIONS - CHANGES TO THE DEVELOPMENT CONTROL SYSTEM (PR58)

The Acting Head of Planning and Leisure reported on the Government's proposed changes to the development control system and on officers' suggested responses to these revised proposals.

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

RESOLVED - this report be approved in principle but should Members have any questions with regard to the five changes proposed they contact the Acting Head of Planning and Leisure direct.

409 BOROUGH OF HINCKLEY AND BOSWORTH (LAND AT 14 STAPLETON LANE, KIRKBY MALLORY) TREE PRESERVATION ORDER 2004 (PR59)

The Committee having been requested to consider confirmation of the above Order it was moved by Mr. D.R. Bown, seconded by Mr. Hinton and

RESOLVED - this Order be confirmed as it stands.

410 APPEALS LODGED AND DETERMINED (PR60)

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

RESOLVED - the report be noted.

411 APPEALS - PROGRESS (PR61)

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

RESOLVED - the report be noted.

(The meeting closed at 9.25 p.m.)