

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
PLANNING COMMITTEE
24th JANUARY 2006 AT 6.30 P.M.

PRESENT: MR. R.J. FURNISS - CHAIRMAN

Mr. C.W. Boothby, Mr. D.R. Bown, Mrs. R. Camamile, Mrs. M.A. Cook, Mr. W.J. Crooks, Mr. R.D. Ellis, Mrs. D. Finney, Mr. C.G. Joyce, Mr. M.R. Lay, Ms. J.E. Price, Mrs. E.A. Spencer, Mr. J.E. Stanley and Mr. R. Ward.

In accordance with Council Procedure Rule 4.4 Mr. P.R. Batty, Mr. D.C. Bill, Mr. N.B.L. Davis, Mrs. M.L. Sherwin and Mrs. R.W. Wright also attended the meeting.

Officers in attendance: Mr. P.F. Cash, Mrs. T. Darke, Mr. R. Palmer, Mr. S. Payne and Mrs. P.I. Pitt.

366 APPOINTMENT OF VICE-CHAIRMAN

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

RESOLVED – Mrs. Cook be appointed Vice-Chairman for the purpose of this meeting only.

367 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Messrs. B.H. Edwards, D.E. Hinton and K. Vessey and the following substitutions authorised in accordance with Council Procedure Rule 4.3:-

Mr. Lay for Mr. Vessey
Ms. Price for Mr. Edwards
Mr. Ward for Mr. Hinton

368 MINUTES (P64)

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

RESOLVED – the minutes of the meeting held on 10th January 2006 be confirmed and signed by the Chairman.

369 DECLARATIONS OF INTEREST

No interests were declared at this stage.

370 PROPOSAL TO RESOLVE THE ISSUE OF MAJOR PLANNING APPLICATIONS NOT MEETING THE 13 WEEK DEADLINE (P66)

Members considered proposals put forward by officers to address the issue of the Council being a Standards Authority, the consequences being the loss of Planning Delivery Grant money and the effect on performance recognition.

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

RESOLVED -

- (i) the difficulties in resolving major applications with 13 weeks be acknowledged;
- (ii) the revised action plan set out in appendix 2 to the report of the Head of Culture and Development be endorsed; and
- (iii) the Head of Culture and Development be delegated the Authority to issue refusal of planning permission if the Section 106 Agreement has not been secured within 13 weeks.

371 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P65)

It was moved by Mr. Crooks, and seconded by Mr. D.R. Bown, that the recommendations of the Head of Culture and Development contained in the schedule submitted, be approved.

- (a) 05/01160/FUL – Demolition of existing farmhouse and outbuildings and direction of 12 no. dwellings, land off Rodney Close, Hinckley – Tony Morris and Sons

Whilst generally in favour of these proposals various concerns were raised such as the provision of screen fencing, the wheel cleansing of construction vehicles, car parking provision, landscaping, bat boxes and the removal of any asbestos and on the motion of Mr. Lay, seconded by Mr. Bown it was

RESOLVED – this application be approved in accordance with the recommendations of the Head of Culture and Development subject to the following additional conditions:-

- 9. Before first occupation of any dwelling hereby approved, car parking provision shall be made within the curtilage of the dwelling on the basis of 2 spaces for a dwelling with up to three bedrooms and 3 spaces for a dwelling with four or more bedrooms. The parking spaces so provided shall not be obstructed and shall thereafter permanently remain available for car parking, unless otherwise agreed in writing by the Local Planning Authority.
- 19. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
 - i) proposed finished levels or contours
 - ii) means of enclosure
 - iii) car parking layouts
 - iv) hard surfacing materials
 - v) planting plans
 - vi) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
 - vii) implementation programme.

24. For the period of the construction of the development within the site, vehicle wheel cleansing facilities shall be provided within the site and all vehicles exiting the site shall have all tyres and wheels cleaned, as may be necessary, before entering the highway.
27. No development shall take place until full details of the boundary treatments have been submitted and approved in writing with the Local Planning Authority.

The reasons for the conditions are:-

9. To ensure that adequate off-street parking facilities are available to accord with policy T5 of the adopted Hinckley & Bosworth Local Plan.
19. To enhance the appearance of the development to accord with policy BE1 and NE12 of the adopted Hinckley & Bosworth Local Plan
24. In the interests of road safety to accord with policy T5 of the Hinckley & Bosworth Local Plan.
27. In the interests of residential amenity to accord with Policy BE1 of the adopted Hinckley and Bosworth Plan.

Note To Applicant:-

5. The site is a potential bat roost and therefore the developer should incorporate bat bricks into the design of the new properties and plant native trees, common to the area, on site to establish feeding grounds.
11. The removal of asbestos during demolition of the existing buildings shall be treated with caution.

Mrs. Wright left the meeting at 7.25 p.m.

Although listed to speak on planning application no. 05/01214/OUT the objector declined to do so.

Mr. Bill withdrew from the meeting at 7.30 p.m., returning at 7.31 p.m.

- (b) 05/01305/FUL – Erection of dwelling (revised scheme) 5 Aldridge Road, Burbage – Mr. A.J. Moore

Although the officer's recommendation was for approval it was moved by Mr. Ward and seconded by Mrs. Camamile that this application be refused as being out of keeping with the area and overbearing. Upon this being put to a vote 5 Members voted to refuse this application and 5 voted in accordance with the officer's recommendations. The Chairman then exercised his casting vote in favour of the officer's recommendation for approval.

Mr. Boothby left the meeting at 7.42 p.m.

APPEAL BY HADEN RITCHIE BAILEY AGAINST THE NON-DETERMINATION OF PLANNING APPLICATION FOR THE CONVERSION OF THE KING WILLIAM PUBLIC HOUSE IN MARKET BOSWORTH INTO 7 APARTMENTS AND ASSOCIATED CAR PARKING

Officers reported on this appeal and requested that the Committee determined what decision it would have reached on this application had it had the opportunity to do so.

Mr. Stanley left the meeting at 7.50 p.m. returning at 7.52 p.m.

It was moved by Mr. Bown, seconded by Mr. Lay and

RESOLVED – had it had the opportunity to do so this Committee would have approved application no. 05/01123/FUL subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. This permission relates to the application as revised by amended plans 05/01123/A and 05/01123/B received by the Local Planning Authority on 22nd November 2005.
3. Before development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed extension shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.
4. No gates shall be erected to the vehicular access.
5. Notwithstanding the submitted details, no walls, planting or fences shall be erected or allows to grow on the Highway boundary exceeding 0.9 metres in height above the level of the adjacent carriageway along the sites Southfield Way frontage.
6. Before the development hereby permitted is first occupied, drainage shall be provided within the site such that surface water does not drain into the Public Highway and thereafter shall be so maintained.
7. Before the development hereby permitted is first occupied, turning facilities shall be provided within the site in order to allow vehicles to enter and leave in a forward direction. The turning area so provided shall not be obstructed and shall be available for use at all times.
8. The existing vehicular access(es) shall be closed permanently within one week of the new access being brought into use and the existing vehicular crossing reinstated to the satisfaction of the Local Planning Authority.
9. Before the development hereby permitted is first occupied the access drive and turning space shall be surfaces with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the Highway boundary and shall be so maintained at all times.

10. Notwithstanding the submitted details, before the development hereby permitted is first occupied, 2.0 metre by 2.0 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above ground level, in accordance with the current standards of the Highway Authority and shall be so maintained in perpetuity.
11. Notwithstanding the submitted details, the proposed access shall have an effective width of a minimum of 4.8 metres for a distance of at least 5 metres behind the Highway boundary. The access drive once provided shall be so maintained at all times.
12. Before the development hereby permitted is first occupied, the vehicular access to the site shall be provided with a 2 metre control radii on both sides of the access.
13. The development hereby permitted shall not commence before the provision and maintenance of off-site open space or facilities whether by off-site physical provision or financial contributions as required in accordance with policy REC2 and REC3 of the adopted Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide has been secured in such a manner as is approved in writing by the Local Planning Authority.
14. No development shall take place until full details of both soft and hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
 - I) proposed finished level or contours.
 - II) means of enclosure.
 - III) car parking layouts.
 - IV) other vehicle and pedestrian access and circulation areas.
 - V) hard surfacing materials.
 - VI) proposed and existing functional services above and below ground(e.g. drainage, pipelines, manholes, supports etc.)
 - VII) planting plans.
 - VIII) written specifications.
 - IX) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
 - X) Implementation programme.
15. The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping scheme shall be maintain 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 replaces by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reasons:-

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.

3. To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.
4. To enable a vehicle to stand clear of the Highway in order to protect the free and safe passage of traffic, including pedestrians, in the public highway.
5. To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.
6. To reduce the possibility of surface water from the site being deposited in the highway causing danger to road users.
7. To enable vehicles to enter and leave the site in a forward direction in the interests of the safety of the road users.
8. To reduce the number of vehicular accesses to the site and consequently to reduce the number of potential conflict points.
9. To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)
10. In the interests of pedestrian safety.
11. To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway.
12. To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interest of general highway safety and to afford easy access to the site and protect the free and safe passage of traffic in the public highway.
13. To ensure the provision of public open space to accord with policies REC2 and REC3 of the adopted Hinckley and Bosworth Local Plan.
14. To enhance the appearance of the development to accord with policy NE12 of the adopted Hinckley and Bosworth Local Plan.
15. To ensure the work is carried out within a reasonable period and thereafter maintained to accord with policy NE12 of the adopted Hinckley and Bosworth Local Plan.

373 RECORDED VOTE AT MEETINGS

Further to minute no. 350 (b) of 10th January 2006 Members were circulated with extracts from the Constitution, namely Council Procedure Rule 17.4 and item 6.7 from the Code of Conduct and Guidance for Members of the Planning Committee and the Head of Culture and Development clarified the position with regard to the calling for a recorded vote. On the motion of Mr. Ellis, seconded by Mr. Lay it was

RESOLVED – the details now circulated and the advice of the Head of Culture and Development be noted and when the Constitution is reviewed Council Procedure Rule 17.4 be extended to include reference to the provision at Planning Committee for the Head of Culture and Development to request a recorded vote.

374 APPEALS LODGED AND DETERMINED (P68)

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

RESOLVED - the report be noted.

375 APPEALS - PROGRESS (P69)

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

RESOLVED - the report be noted.

(The meeting closed at 8.08 p.m.)