

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

31 JULY 2007 AT 6.30 PM

PRESENT: MR P HALL - CHAIRMAN
MR R MAYNE - VICE-CHAIRMAN

Mrs M Aldridge, Mr JG Bannister, Mr PR Batty, Mr JC Bown, Mr MB Cartwright, Mr DM Gould, Mrs A Hall, Mr DW Inman, Mr CG Joyce, Dr JR Moore, Mr K Nichols, Mr LJP O'Shea, Mr BE Sutton and Mr R Ward.

In accordance with Council Procedure Rule 4.4 Mr SL Bray also attended the meeting.

Officers in attendance: Ms K Barlow, Mr P F Cash, Mr A Ghafoor, Mr C Merriman, Miss R Owen, Mr R Palmer, Mr I Parsons, Mr S Payne, Mr D Purnell, Mr C Taylor, Mr D Warden and Mr B Whirrity.

119 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Mr JD Cort, Mr WJ Crooks, Mr T McClure and Mrs J Richards and the following substitutions authorised in accordance with Council Procedure Rule 4.3:-

Mr Batty for Mr Cort;
Dr Moore for Mr McClure;
Mr Ward for Mrs Richards.

120 MINUTES (P12)

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

RESOLVED – the minutes of the meeting held on 3 July 2007 be confirmed and signed by the Chairman

121 DECLARATIONS OF INTEREST

Mr Bown declared a personal and prejudicial interest in application 07/00744/DEEM as he had been involved in discussions on this matter previously.

Mr Hall declared a personal and prejudicial interest in application 07/00674/OUT as he had been taken part in discussions on this application as a Burbage Parish Councillor.

Mr Inman declared a personal interest in applications 07/00674/OUT and 07/00713/FUL as a member of Burbage Parish Council. Mr and Mrs Hall also

declared personal interests in application 07/00713/FUL as members of Burbage Parish Council.

122 CADEBY AND WITHERLEY CONSERVATION AREA STATEMENTS AND MANAGEMENT PLANS (P14)

Members received a report which sought approval to adopt the Conservation Area Statements and Management Plans for the conservation areas in the villages of Cadeby and Witherley. The Borough Councillor for Cadeby expressed disappointment that she hadn't been invited to the local meeting about the Conservation Area Statement and Management Plan.

RESOLVED – the Conservation Area Statements and Management Plans for the villages of Cadeby and Witherley be adopted as Planning Guidance.

123 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P13)

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

It was agreed that the recommendations of the Head of Culture and Development contained in the schedule submitted be approved.

(a) 07/00633/COU – Frith House Farm, Rogues Lane, Hinckley – Emelia Accessories Ltd

Notwithstanding the officers' recommendation of refusal, a Member suggested that the application be deferred for a site visit. In the absence of a seconder to the motion, a vote was not taken.

Some Members felt that the highways issues were not sufficient to warrant refusal based on the current number of vehicle movements. It was then moved by Mr Sutton and seconded by Mrs Aldridge that the application be approved for this reason. The Head of Culture and Development requested that voting on this amendment be recorded.

Mrs Aldridge and Messrs Bannister, Batty, Cartwright, Mayne, Dr Moore, O'Shea, Ward and Sutton voted FOR the amendment.

Mr Bown, Mr Gould, Mrs Hall, Mr Hall, Mr Inman and Mr Joyce voted AGAINST the amendment.

Mr Nichols abstained from voting.

It was therefore

RESOLVED – the application be approved subject to the following conditions:

The premises shall not be used other than for purposes falling within Class B8 of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

No sales shall be made to the general public from the buildings hereby permitted for use as B8 warehouses.

No Class B8 uses, as defined by the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, shall take place either within any buildings not authorised by this permission or on the open areas of the site before planning permission for such development has first been granted by the Local Planning Authority.

Having declared a personal and prejudicial interest in application 07/00674/OUT, Mr Hall left the meeting at 7.42pm, returning at 7.52pm. Mr Mayne took the Chair during this time. Mr O'Shea left the meeting at 7.54pm.

(b) 07/00683/FUL – Land to rear of 130-136 Newbold Road, Barlestone – Mr S Creswell

Some Members felt that access to the site was insufficient for the proposed development, and also expressed concern that an Employment Land and Premises Study undertaken in 2004 highlighted the site as employment land, and felt that residential use was inappropriate for the site. It was moved by Mr Inman that the application be deferred to allow the opportunity to enquire about the need for employment land in the area, however in the absence of a seconder the motion was not put to the vote.

It was then proposed by Mr Cartwright and seconded by Mr Batty that the application be refused due to the designation of the site as employment land. The Head of Culture and Development requested that voting be recorded on this amendment.

Mrs Aldridge and Messrs Batty, Cartwright, Inman, Sutton and Ward voted FOR the amendment.

Mr Bannister, Mr Bown, Mr Gould, Mrs Hall, Mr Hall, Mr Joyce, Mr Mayne, Dr Moore and Mr Nichols voted AGAINST the amendment.

The amendment was therefore declared LOST. It was therefore

RESOLVED – that subject to no significant additional objections being raised by 16th August 2007 the Head of Culture and Development be granted delegated powers to issue Planning Permission subject to the conditions contained in the report and late items.

- (c) 07/00690/COU – Gopsall Hall Farm, Gopsall Estate, Twycross – AL
Lain & Son

It was noted that this application had been withdrawn from the agenda.

Mrs Hall and Mr Gould left the meeting at 8.33pm, returning at 8.38pm. Mr Bray left at 8.39pm, returning at 8.42pm.

- (d) 07/00714/COU – Market Bosworth Rugby Football Club – Market
Bosworth RFC

Although in support of this application, Members requested that the applicant be asked to include some more colourful plants in the hedgerows.

RESOLVED – the application be approved with the abovementioned condition and subject to conditions contained within the report.

Mr Bray left at 9.00pm. Mr Bown left at 9.08pm and returned at 9.11pm.

- (e) 07/00767/FUL – Cleartherm Ltd, Unit 2b Stafford Street, Barwell – Mr
R Hartley

Notwithstanding the officers recommendation to refuse the application, some Members felt that the proposed development would improve the site and that the reasons for refusal with regard to living environment were not an important factor. It was therefore proposed by Mr Sutton and seconded by Mr Batty that the application be approved. Upon being put to the vote, the amendment was LOST.

It was therefore

RESOLVED – the application be refused for the reasons contained in the report.

124 DURATION OF MEETING

The meeting having lasted 3 hours, it was moved by Mr Sutton, seconded by Mrs Hall and

RESOLVED – in accordance with Council Procedure Rule 9 the meeting be allowed to continue until the business is complete, but for a maximum of 30 minutes.

125 LOCAL DEVELOPMENT FRAMEWORK: SITES ALLOCATIONS DEVELOPMENT PLAN DOCUMENT – ISSUES AND OPTIONS CONSULTATION (P15)

Members received a report which advised them of the need to consult upon the Site Allocations Issues and Options paper and Sustainability Appraisal in accordance with the Town and Country Planning Regulations (Local Development) (England) 2004 and the Local Development Scheme. Attention was drawn to the late items which outlined suggestions of the Local

Development Framework Working Party. It was moved by Mr Bown, seconded by Mr Sutton and

RESOLVED – a consultation period on the Issues and Options document for the Site Allocations DPD be undertaken, until Friday 28 September as suggested by the LDF Working Party.

126 GENERIC DEVELOPMENT CONTROL POLICIES DEVELOPMENT PLAN DOCUMENT (P16)

The Committee received a report which advised Members of the need to consult upon the Generic Development Control Policies Development Plan Document (DPD) Issues and Options and Sustainability Appraisal in accordance with the Town and Country Planning Regulations (Local Development) (England) 2004 and the Local Development Scheme. It was moved by Mr Bown, seconded by Mr Bannister and

RESOLVED – a consultation period on the Issues and Options document for the Generic Development Control Policies DPD and Sustainability Appraisal be undertaken, until Friday 28 September as suggested by the LDF Working Party.

Mrs Aldridge left the meeting at 9.33pm and returned at 9.35pm.

127 PLANNING FOR A SUSTAINABLE FUTURE – GOVERNMENT WHITE PAPER (P17)

Members were informed of the key proposals contained in the Government's White Paper – Planning for a Sustainable Future. Some Members expressed concern with regard to the mixing of foul and storm water which still took place in many areas of the Borough. It was moved by Mr Bown, seconded by Mrs Aldridge and

RESOLVED – the proposals set out in the Planning White Paper be noted and the Borough Council's draft response to the consultation be approved.

128 PLANNING FEES IN ENGLAND: PROPOSALS FOR CHANGE – CONSULTATION DOCUMENT (P18)

Members received a report which informed them of the publication of the consultation document on Planning Fees in England: Proposals for change.

RESOLVED – this Authority's response to the consultation questions be endorsed.

129 APPEALS LODGED AND DETERMINED (P19)

A summary was submitted of appeals lodged and determined since the last meeting.

RESOLVED – the report be noted.

130 APPEALS – PROGRESS (P20)

A schedule was submitted indicating the stages that various appeals against planning decisions had reached.

RESOLVED – the report be noted.

131 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Mr Sutton, seconded by Mrs Aldridge, it was

RESOLVED - in accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the undermentioned items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 2 and 10 of Part I of Schedule 12A of that Act.

132 PLANNING ENFORCEMENT ACTION (P21)

Members were provided with a periodic report on planning enforcement actions taken. On the motion of Mr Sutton, seconded by Mrs Aldridge, it was

RESOLVED – the report be noted.

(The meeting closed at 9.47pm)