

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

11 MARCH 2008 AT 6.30 PM

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

Mrs M Aldridge, Mr JC Bown, Mr MB Cartwright, Mr JD Cort, Mr WJ Crooks, Mr DM Gould, Mrs A Hall, Mr DW Inman, Mr CG Joyce, Dr JR Moore, Mr K Nichols, Mr LJP O'Shea, Mrs J Richards and Mr BE Sutton.

In accordance with Council Procedure Rule 4.4 Mr PR Batty, Mr DS Cope, Ms WA Moore, Mr R Ward and Mr DO Wright also attended the meeting.

Officers in attendance: Mrs T Darke, Mr S Field, Miss L Horton, Ms T Miller, Miss R Owen and Mr T Prowse.

504 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Mr JG Bannister, who was undertaking Mayoral duties, and the substitution of Dr JR Moore for Mr Bannister was authorised in accordance with Council Procedure Rule 4.3.

505 MINUTES (P68)

On the motion of Mr Bown, seconded by Mr Nichols it was

RESOLVED – the minutes of the meeting held on 12 February 2008 be confirmed and signed by the Chairman.

506 DECLARATIONS OF INTEREST

Messrs Bown and Gould declared a personal and prejudicial interest in application 07/01486/FUL. Mr Gould also declared a personal and prejudicial interest in applications 08/00084/FUL and 08/00142/GDOT.

Mr Mayne declared a personal and prejudicial interest in application 07/01230/FUL.

507 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P69)

The Committee considered a schedule of planning applications, together with a list of late items, and the recommendations of the Director of Community and Planning Services.

It was agreed that the recommendations of the Director of Community and Planning Services contained in the schedule submitted be approved.

Having declared a personal and prejudicial interest in the following item, Mr Mayne left the meeting at 6.40pm.

It was moved by Mr Joyce, seconded by Dr Moore and agreed that Mr Nichols take the Vice-Chairman's seat for the duration of that item.

(a) 07/01230/FUL – Sketchley Grange Hotel, Sketchley Lane, Burbage – Sketchley Grange Limited

Notwithstanding the officers' recommendation of approval, some Members felt that the application was unacceptable due to its size and mass. It was moved by Mrs Hall and seconded by Mr Inman that the application be refused. Upon being put to the vote, the amendment was LOST.

Due to Members' concerns with regard to traffic management and access to the site, Mr Cartwright moved that the application be approved subject to a one-way system through the site being devised. In the absence of a seconder the motion was not put to the vote.

Mr Sutton, seconded by Mr O'Shea, proposed that the application be approved with an additional condition to encourage a major review of access to the site. Upon being put to the vote, the amendment was CARRIED. It was therefore

RESOLVED – the application be approved 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 received by the Local Planning Authority on ****.
3. Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed hotel 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 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) car parking layouts
 - (iii) other vehicle and pedestrian access and circulation areas.
 - (iv) hard surfacing materials
 - (v) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.)

- (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.
5. The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping scheme shall be maintained 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 replaced 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.
6. 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.
7. No part of the development shall be occupied until details of a Green Commuter Plan containing a travel to work, car use and car parking management strategy for the site as a whole has been submitted to and agreed in writing by the Local Planning Authority. The plan shall comprise proposals to reduce car dependence and vehicle emissions and to establish and encourage the use of alternative transport modes for journeys to and from work and during working hours. Details of the proposals shall include measures to secure increases in car sharing, public transport use, cycling and walking, proposals for car parking restrictions and controls and details of on-site facilities to promote alternative modes of travel to the site. The plan shall make provision for relevant surveys, review and monitoring mechanisms, targets, timescales, phasing programmes and on-site management responsibilities. It shall be implemented and subject to regular review in accordance with the above approved details.
8. Before the development hereby permitted is first used, off-street car parking provision shall be made within the application site in accordance with the submitted dwg no. 3164-40c. The parking area shall be surfaced, marked out prior to the development being brought into use and shall be so maintained at all times thereafter.
9. Before the development hereby permitted is first used, cycle parking provision shall be made to the satisfaction of the Local Planning Authority and once provided shall be maintained and kept available for use in perpetuity.

10. Notwithstanding the submitted details, before the commencement of development, details of all means of enclosure and boundary treatments should be submitted to and agreed in writing by the Local Planning Authority and the development shall be implemented in accordance with the approved details.
11. Before the commencement of development, details of the proposed gates within the car park and their management should be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.
12. Notwithstanding the submitted details, before the commencement of development, details of the proposed car park lighting and permeable surfacing should be submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.
13. Before the commencement of development, a scheme for the routing of service vehicles should be submitted to and agreed in writing by the Local Planning Authority. The development should then be implemented in accordance with the approved scheme.

Mr Mayne returned to the meeting at 7.15pm.

(b) 07/01479/COU – 1 Nock Verges, Earl Shilton – Mr D Taylor

Although in support of the officers' recommendation, it was requested that a note to applicant be added to ask that workers be transported to and from the site in a minibus rather than individual vehicles, to keep the number of vehicle movements to a minimum. It was moved by Mrs Aldridge, seconded by Mr Crooks and

RESOLVED – the application be approved with the abovementioned note to applicant.

Having declared personal and prejudicial interest in the following item, Messrs Bown and Gould left the meeting at 7.40pm.

(c) 07/01486/FUL – 84 Leicester Road, Hinckley – Matthew Homes (West Midlands) Ltd

Mr Hall left the meeting at 7.59pm, returning at 8.05pm. Mr Mayne took the Chair during this time.

Notwithstanding the officers' recommendation of approval, Members expressed concern with regard to drainage issues and impact and design of the development.

Mr O'Shea proposed that the application be deferred until further discussions with Severn Trent had taken place. After receiving advice from officers, Mr O'Shea withdrew his amendment.

It was proposed by Mr Sutton and seconded by Mrs Aldridge that the application be refused on the grounds that it had not been sufficiently demonstrated that the proposed development could be provided with an adequate foul and surface water drainage system. Upon being put to the vote, the amendment was CARRIED.

Mr Nichols, seconded by Dr Moore proposed a further amendment to the motion that additional reasons for refusal be included on the grounds of design and impact. Upon being put to the vote, this amendment was CARRIED.

It was therefore

RESOLVED – the application be refused for the following reasons:

1. In the opinion of the Local Planning Authority, the proposal would have an adverse and overbearing impact on neighbouring properties in Island Close by reason of its height and design, it would therefore be contrary to policy BE1 of the adopted Hinckley and Bosworth Local Plan.
2. In the absence of any evidence or justification to the contrary, it is considered that it has not been sufficiently demonstrated that the proposed development can be provided with an adequate foul and surface water drainage system. The proposal would therefore be contrary to policy BE1 of the adopted Hinckley and Bosworth Local Plan.

Messrs Gould and Bown returned at 8.25pm.

(d) 08/00117/COU – Land at Stoke Lane, Higham On The Hill – Mr J Price

With regard to the officers' recommendation to approve the application, Members felt that this would present a danger to the applicant and other road users due to the busy road from which the site was accessed. An amendment was proposed by Mr Cartwright and seconded by Mr Sutton that the application be refused on highways grounds.

The Director of Community and Planning Services requested that voting on this item be recorded. The vote was recorded as follows:

Mrs Aldridge, Dr Moore, Mr Cartwright, Mr Cort, Mr Crooks, Mrs Hall, Mr Mayne, Mr O'Shea, Mrs Richards and Mr Sutton voted FOR the amendment (10).

Mr Inman voted AGAINST the amendment (1).

Messrs Bown, Gould, P Hall, Joyce and Nichols abstained from voting. The amendment was therefore declared CARRIED. It was

RESOLVED – the application be refused for the following reason:

1. In the opinion of the Local Planning Authority, the proposal would result in the use of an unsafe access point resulting in highway danger to both existing road users and the applicant. The proposal is therefore contrary to Policies BE1 and T5 of the adopted Hinckley and Bosworth Local Plan.

Mr Cort left the meeting at 9.00pm. Dr Moore left the meeting at 9.01pm and returned at 9.05pm.

(e) 07/01487/FUL – 4 Cumbrae Drive, Hinckley – Mr D Bright

Some Members felt that the application for the erection of a dwelling would be overbearing in this location.

Mr Ward left the meeting at 9.06pm and returned at 9.11pm.

It was proposed by Mr Inman and seconded by Mr Joyce that the application be refused on the grounds that it was over-bearing and not in keeping with the street scene. Upon being put to the vote, the amendment was LOST. It was then

RESOLVED – subject to the receipt of amended plans which satisfy the concerns relating to the external appearance of the proposed dwelling, the Director of Community and Planning Services be granted powers to issue planning permission subject to the conditions contained within the report.

Mr Cope left the meeting at 9.15pm.

(f) 08/00057/FUL – 1 Newtown Linford Lane, Groby – Mr P Dhillon

Further to the recommendation contained within the report, officers recommended at the meeting that a further condition be added to restrict use so the premises could not be used as a take-away. It was therefore

RESOLVED – the application be approved 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. No changes shall be made to the internal layout of the ground floor cafeteria without the prior written consent of the local planning authority.
3. Before the premises relating to this permission are first used as

a cafeteria, details of the ventilation scheme, including any extraction equipment, to be installed in the kitchen area shown on drawing 3701.3 received 23.01.08, shall be submitted to and approved in writing by the Local Planning Authority.

4. The premises shall only be used as a cafeteria and at no time shall it be used for the sale of food for consumption off the premises.

Mr Batty and Mrs Richards left the meeting at 9.27pm.

At this juncture and approaching 9.30pm, in accordance with Council Procedure Rule 9, it was moved by Mr Hall, seconded by Mr O'Shea and

RESOLVED – the meeting be allowed to continue until 10pm in order to consider the remaining planning applications and reports P70, P71, P73, P74 and P75.

Mr Gould left the meeting at 9.29pm.

- (g) 08/00072/COU – Hill Top Works, 2 Keats Lane, Earl Shilton – Mr R Church

It was noted that this item had been withdrawn.

Mrs Richards returned to the meeting at 9.33pm.

- (h) 08/00084/FUL – 78 Leicester Road, Hinckley – Mr P Riley

Notwithstanding the officers' recommendation of approval, some Members felt that this application was out of keeping with the area.

Mr Cartwright left the meeting at 9.37pm and returned at 9.42pm.

It was proposed by Mr Nichols and seconded by Dr Moore that the application be refused on grounds of design. Upon being put to the vote, 3 Members voted FOR this amendment and 3 voted AGAINST. Upon the Chairman's casting vote, the amendment was LOST. It was

RESOLVED – subject to no further significant additional objections being raised by the end of the consultation period, the Director of Community and Planning Services be granted powers to issue Planning Permission subject to the conditions contained within the report.

Mr Wright left the meeting at 9.47pm. Ms Moore and Mr Nichols left at 9.49pm, with Mr Nichols returning at 9.50pm.

508 REVIEW OF PLANNING "CALL IN" DIRECTIONS (P70)

Members received a report which notified them of the Government's proposals for changes to the planning system in relation to the referral of

planning applications to the Government Office and the “Call In” of applications by the Secretary of State. It was moved by Mr Bown, seconded by Mr Joyce and

RESOLVED – the report be noted and the response to the consultation document be agreed.

509 CONSULTATION PAPER ON A NEW PLANNING POLICY STATEMENT 4: PLANNING FOR SUSTAINABLE ECONOMIC DEVELOPMENT (P71)

The Committee received a report outlining the draft Planning Policy Statement 4. It was moved by Mr Nichols, seconded by Mr Crooks and

RESOLVED – the report be noted and the response to the consultation paper be agreed.

510 PUBLICATION OF PLANNING POLICY STATEMENT 1 SUPPLEMENT: PLANNING & CLIMATE CHANGE (P72)

RESOLVED – this item be deferred to the next meeting of the Planning Committee.

Mrs Aldridge and Mrs Richards left the meeting at 9.59pm.

At this juncture it was agreed in accordance with Procedure Rule 9 that the meeting be allowed to continue for a further 5 minutes.

511 BROWNFIELD LAND ACTION PLAN (P73)

The Committee was informed of the initial findings of the Brownfield Land Action Plan. It was moved by Mr Nichols, seconded by Mr O’Shea and

RESOLVED – the Brownfield Land Action Plan programme be supported.

512 APPEALS LODGED AND DETERMINED (P74)

A summary was submitted of appeals lodged and determined since the last meeting. It was moved by Mr Crooks, seconded by Mr Nichols and

RESOLVED – the report be noted.

513 APPEALS – PROGRESS (P75)

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

RESOLVED – the report be noted.

(The meeting closed at 10.05pm)