

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

1 JULY 2008 AT 6.30 PM

PRESENT: MR R MAYNE - CHAIRMAN
MR DW INMAN - VICE-CHAIRMAN

Mrs M Aldridge, Mr JC Bown, Mr WJ Crooks, Mr DM Gould, Mr CG Joyce, Mr K Morrell, Mr K Nichols, Mr BE Sutton, Mr R Ward and Mrs BM Witherford.

Officers in attendance: Mrs T Darke, Miss T Miller, Miss R Owen, Mr T Prowse and Mr M Rice.

Colin Shields of White Young and Green (Consultants) attended the meeting for report P12 (minute 81 refers).

78 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Mr JG Bannister, Mr CW Boothby, Mr JD Cort, Mrs A Hall, Mr P Hall and Mr LJP O'Shea and the following substitutions authorised in accordance with Council Procedure Rule 4.3:

Mr Gould for Mrs Hall;
Mr Ward for Mr O'Shea.

79 MINUTES (P7)

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

RESOLVED – the minutes of the meeting held on 3 June 2008 be confirmed and signed by the Chairman.

80 DECLARATIONS OF INTEREST

Mr Bown declared a personal and prejudicial interest in application 08/00563/FUL.

Mr Morrell declared a personal and prejudicial interest in application 08/00475/FUL. It was agreed he be allowed to speak as Ward Councillor before leaving the meeting.

81 TRANSPORT IMPACT ASSESSMENT SUPPLEMENTARY PLANNING DOCUMENT (P12)

Members received a report which presented the Transport Impact Assessment Supplementary Planning Document.

Members suggested that a system be devised to indicate which car parks in the town centre had spaces, and it was confirmed that this was planned. It was also confirmed that improvements to the Station Road/Hawley Road area with regard to pedestrian crossings were planned.

It was moved by Mr Nichols, seconded by Mr Sutton and

RESOLVED –

- (i) the findings of the study and the methodology proposed to ascertain future developer contributions be endorsed;
- (ii) the study be published for consultation purposes as a supplementary planning document.

82 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P8)

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.

- (a) 08/00127/FUL – 99-101 Castle Street, Hinckley – Apex (Castle Street) Ltd

Members supported the application as presented but requested that cycle parking be provided on site.

It was moved by Mr Nichols, seconded by Mr Sutton and

RESOLVED – subject to the execution of an Agreement under Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972, or the receipt of a one-off payment to provide financial contributions towards play and open space, the health authority, highways, libraries, civic amenity facilities, parking shortfall and the police authority, the Director of Community and Planning Services be granted powers to issue planning permission subject to the conditions contained within the officer's report, amended condition 2 and additional condition 17 as recommended in the late items and a request for cycle parking.

- (b) 08/00267/FUL – Land Off St Francis Close, Hinckley – Mr A Cartwright

It was moved by Mr Nichols, seconded by Mr Crooks and

RESOLVED – subject to satisfactory completion of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990, the Director of Community and Planning Services be granted delegated powers to issue planning permission subject to the conditions contained in the officer's report. Failure to complete the agreement by 4 July 2008 may result in the application being refused.

- (c) 08/00312/REM – 55 Cowper Road, Burbage – Aspects Developments Limited

Although in support of this application, Members were concerned about emergency access. It was agreed that a note to applicant be included to ensure access was adequate. On the motion of Mr Crooks, seconded by Mr Bown, it was

RESOLVED – the application be permitted subject to the conditions contained within the officer's report and late items and the abovementioned note to applicant.

- (d) 08/00350/FUL – Mill Hill Business Centre, 5 Mill Hill Road, Hinckley – David Wilson Homes (East Midlands)

It was moved by Mrs Aldridge, seconded by Mr Crooks and

RESOLVED – subject to the execution of an Agreement under Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972, or the receipt of a one-off payment to provide financial contributions towards play and open space, the health authority, libraries, civic amenity facilities and the police authority, the Director of Community and Planning Services be granted powers to issue planning permission subject to the conditions contained within the officer's report and late items. Failure to complete the agreement by 14 July 2008 may result in the application being refused.

- (e) 08/00349/FUL – Land Opposite Superstore, Stoke Road, Hinckley – JS Bloor (Measham) Ltd & Ensco (536) Ltd

Members requested that a note to applicant be added asking that the use of the balancing pond on the opposite side of Stoke Road be investigated. It was moved by Mr Crooks, seconded by Mrs Witherford and

RESOLVED – subject to resolution of the matters relating to highways and the execution of an Agreement under Section 106 of the Town and Country Planning Act 1990 and Section 111 of

the Local Government Act 1972 to provide financial contributions towards libraries, civic amenity, health facilities, police provision, play and open space, and the provision of affordable housing, the Director of Community and Planning Services be granted powers to issue Planning Permission subject to the conditions contained in the officer's report and late items and the abovementioned note to applicant. Failure to complete the agreement by 3 July 2008 may result in the application being refused.

- (f) 08/00366/OUT – 39 Derby Road, Hinckley – Messrs Rumble and Blower

It was requested that a note to applicant be added with regard to a Sustainable Urban Drainage Scheme (SUDS). It was moved by Mr Bown, seconded by Mr Crooks and

RESOLVED – subject to the resolution of the highway issues and the execution of an Agreement under Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972 to provide financial contributions towards libraries, civic amenity, health facilities, police provision, play and open space and the provision of affordable housing and employment, the Director of Community and Planning Services be granted powers to issue Planning Permission subject to the conditions contained in the officer's report and late items and the abovementioned note to applicant. Failure to complete the agreement by 3 July 2008 may result in the application being refused.

- (g) 08/00367/OUT – 17 Alma Road, Hinckley – Messrs Rumble and Blower

It was requested that a note to applicant be added with regard to a Sustainable Urban Drainage Scheme (SUDS). It was moved by Mr Bown, seconded by Mr Crooks and

RESOLVED – subject to the resolution of the highway issues and the execution of an Agreement under Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972 to provide financial contributions towards libraries, civic amenity, health facilities and police provision and the provision of employment, the Director of Community and Planning Services be granted powers to issue Planning Permission subject to the conditions contained in the officer's report and late items and the abovementioned note to applicant. Failure to complete the agreement by 3 July 2008 may result in the application being refused.

Mr Gould left the meeting at 7.57pm and returned at 7.59pm.

- (h) 08/00408/FUL – 23 Bradgate Road, Hinckley – Westminster Developments Ltd

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

RESOLVED – the application be permitted subject to the conditions contained in the officer's report and the late items.

- (i) 08/00475/FUL – Playing Field – Brookside Place, Sheepy Parva – Mr Dan Taylor

Having declared a personal and prejudicial interest in this application, Mr Morrell spoke as Ward Councillor then left the meeting at 8.25pm.

Members expressed concern with regard to noise pollution impacting on the residents and it was agreed that a note to applicant be added asking them to liaise with Environmental Health with regard to this. It was moved by Mr Crooks, seconded by Mr Cartwright and

RESOLVED – the application be permitted subject to the conditions contained in the officer's report and late items and the abovementioned note to applicant.

Mr Morrell returned at 8.30pm.

- (j) 08/00496/FUL – The Cottage, Station Road, Hinckley – Mr Michael Ford

Mrs Aldridge left at 8.30pm and returned at 8.32pm.

It was moved by Mr Sutton, seconded by Mr Morrell and

RESOLVED – the application be approved subject to the conditions contained within the report and late items.

- (k) 08/00500/COU – Wiseacre, Leicester Lane, Desford – Keys Child Care Ltd

Members expressed concern about the access arrangements and it was reiterated that authority be delegated to the Director of Community and Planning Services to refuse the application if the highways issues were not resolved. On the motion of Mr Sutton, seconded by Mr Morrell, it was

RESOLVED – subject to satisfactory resolution of the highway safety issues, the Director of Community and Planning Services be granted powers to issue planning permission subject to the conditions contained in the officer's report. Should the highway issues fail to be resolved by 10 July, the Director of Community and Planning Services be granted delegated powers to refuse the application in accordance with the recommendations of the Highway Authority.

- (l) 08/00529/FUL – 70 Priesthills Road, Hinckley – Mr David Puffett

It was moved by Mr Bown, seconded by Mr Nichols and

RESOLVED – the application be approved subject to the conditions contained within the officer's report.

- (m) 08/00531/FUL – 7 Nailstone Road, Barton in the Beans – Dawson 2003 Trust

Notwithstanding the officer's recommendation to approve this application, Members felt that it constituted a new build in the open countryside, would result in increased traffic and would have a detrimental impact on residents. It was moved by Mrs Aldridge, seconded by Mr Crooks and

RESOLVED – the application be refused for the following reasons:

1. In the opinion of the Local Planning Authority the proposed development would represent an unwarranted and unacceptable intrusion into the countryside and would be out of keeping with the appearance and character of this rural location, which should be protected for its own sake. The proposal is therefore contrary to Central Government Guidance contained in Planning Policy Guidance Note 4, Draft Planning Policy Statement 4, and policies BE1 and NE5 of the adopted Hinckley and Bosworth Local Plan.
2. In the opinion of the Local Planning Authority the proposed development would be detrimental to the residential amenities of nearby dwellings due to the siting of the development and comings and goings to the site the development is therefore contrary to policy BE1 of the adopted Hinckley and Bosworth Local Plan.

Having declared a personal and prejudicial interest in the following application, Mr Bown left the meeting at 9.10pm.

- (n) 08/00563/FUL – Land adjacent to Tor Heights, High Tor East, Earl Shilton – Mr John Duncombe

It was moved by Mr Nichols, seconded by Mr Crooks and

RESOLVED – the application be permitted subject to the conditions contained within the officer's report and the late items.

83 PLANNING BRIEF – NORTH WARWICKSHIRE AND HINCKLEY COLLEGE – HINCKLEY CAMPUS (P9)

The Planning Committee received a report which provided information on the consultation process following the publication of a draft planning brief which set a framework for the development of the North Warwickshire and Hinckley College – Hinckley Campus on Spa Lane and London Road.

Members highlighted an ambiguity in the report which in one paragraph stated that any new buildings on the site should not exceed three storeys and in another described the area as mostly two storey buildings. In response officers explained that the development would be significant in scale to have its own identity.

Mrs Aldridge left the meeting at 9.15pm and returned at 9.18pm.

Members felt that this report was premature due to the site not being in the Council's ownership and that it should not be considered any further at this point.

RESOLVED – the report be noted and the document be sent out for consultation.

84 APPEALS LODGED AND DETERMINED (P10)

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

RESOLVED – the report be noted.

85 APPEALS – PROGRESS (P11)

A schedule was submitted indicating the stages that various appeals against planning decisions had reached. It was moved by Mr Nichols, seconded by Mr Crooks and

RESOLVED – the report be noted.

86 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

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

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

87 PLANNING ENFORCEMENT ACTION (P13)

Members were provided with a periodic report on planning enforcement actions taken. It was moved by Mr Nichols, seconded by Mr Gould and

RESOLVED – the report be noted.

(The meeting closed at 9.23pm)