

HINCKLEY AND BOSWORTH BOROUGH COUNCIL  
PLANNING COMMITTEE  
13 JANUARY 2009 AT 6.30 PM

PRESENT: MR R MAYNE – CHAIRMAN  
MR D W INMAN – VICE-CHAIRMAN

Mrs M Aldridge, Mr C W Boothby, Mr J C Bown, Mr D M Gould,  
Mrs A Hall, Mr P A S Hall, Mr C G Joyce, Mr K Morrell, Mr K  
Nichols, Mr L J P O'Shea, Mr B E Sutton, Mr R Ward.

In accordance with Council Procedure Rule 4.4 Mr A J Smith also attended the meeting

Officers in attendance: Mrs T Darke, Mrs P I Pitt, Mr T M Prowse, Mr M Rice and Mr R Wright

356 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Mr J G Bannister, Mr W J Crooks and Ms B M Witherford and the substitution by Mr Gould for the latter authorised in accordance with Council Procedure Rule 4.3.

357 MINUTES (P43)

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

RESOLVED – the minutes of the meeting held on 16 December 2008 be confirmed and signed by Chairman;

358 DECLARATIONS OF INTEREST

Interests were declared as follows:-

Mrs Aldridge – prejudicial interest in planning application no. 08/01031/FUL  
Mr and Mrs Hall – personal interest in planning application no. 08/01102/FUL  
Mr Ward – personal interest in planning application no. 08/01117/FUL

359 DECISIONS DELEGATED AT PREVIOUS MEETING

The Director of Community and Planning Services reported the following three decisions:-

1. Planning application no. 08/00815/FUL – approval had now been issued.
2. Planning application no. 08/00965/FUL – approval had now been issued.
3. Planning application no. 08/01035/GDOT – Notice of Refusal sent.

360 TOWN AND COUNTRY PLANNING ACT 1990 – APPLICATIONS TO BE DETERMINED

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) 08/00977/FUL – Proposed substitution of house types to plots 6 – 18 and 23 – 26 and associated works, land rear of 41 – 65 The Common, Barwell – David Wilson Homes, East Midlands.

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

RESOLVED – subject to the execution of an appropriate supplementary legal agreement under Section 106 of the Town & Country Planning Act 1990 and section 111 of the Government Act 1972 before 21 January 2009 to secure developer contributions towards affordable housing, public play and open space, health facilities, library facilities, waste management and highway improvement work in accordance with the existing Section 106 agreement for the overall site, the Director of Community and Planning Services be granted powers to issue planning permission subject to the conditions outlined in the report. Failure to execute a legal agreement by 21 January 2009 may result in the application being refused.

- (b) 08/0103/FUL – Erection of fishery manager’s dwelling – The Glebe Field, Peckleton Common, Peckleton – Mr Roy Marlow.

Mrs Aldridge, having declared a prejudicial interest in the following item left the meeting at 6:40 pm whilst this was considered.

Having been assured by officers that a condition had been included that the occupation of the dwelling should be limited to a person solely employed in the operation of the Glebe Field Fishery complex it was moved by Mr Morrell, seconded by Mr Bown and

RESOLVED – the application be approved subject to the conditions outlined in the officer’s report and late items.

Mrs Aldridge returned to the meeting at 6:45 pm.

- (c) 08/01057/FUL – Erection of 5 No. dwellings, A Stathams Builders Yard, Cuthbert’s Yard, Newbold Road, Barlestone – Marbles Homes (Leicester) Limited.

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

RESOLVED – the application be approved subject to the conditions outlined in the officer’s report and late items.

(d) 08/01102/FUL – Erection of one detached dwelling, land rear of 60 Lychgate Lane, Burbage – Mr Richard Timson

Concerns being raised with regard to drainage issues, access, proximity to other dwellings and the proposal being out of keeping with adjacent properties, it was moved as an amendment by Mr Morrell and seconded by Mr Inman that notwithstanding the officer's recommendations for approval, this application be refused. At this juncture the Director of Community and Planning Services requested that voting be recorded on this item. The vote was recorded as follows:-

For the amendment – Messrs. Inman, Morrell, Sutton and Ward (4)  
Against the amendment – Messrs. Bown and Gould (2)  
Abstentions – Mrs Aldridge, Mr Boothby, Mrs Hall, Mr Hall, Mr Joyce, Mr Mayne, Mr Nichols and Mr O'Shea (8)

The amendment was therefore carried and thereupon

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

In the opinion of the Local Planning Authority, the proposed dwelling by virtue of its size, scale and location represents over development of the plot and would result in an unacceptable, incongruous form of development, out of keeping with the character of the streetscene and resulting in loss of amenity for the existing surrounding residents by virtue of its proximity. The proposed development is therefore contrary to Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

(e) 08/01117/FUL – Erection of new pavilion, playing fields, Barton Road, Market Bosworth – The Dixie Grammar School

Car parking provision having been outlined to Members, it was moved by Mr O'Shea, seconded by Mrs Aldridge and

RESOLVED – the application be approved subject the conditions contained in the Officer's report and late items.

(f) 08/01136/COU – Change of use of building to Muslim prayer room (D1 use category), land rear of 11 Lower Bond Street, Hinckley – Mr Maruf Miah.

Members requested that a note to applicant include the erection of a sign at the entrance to the site indicating the lack of on-site car parking. It was then moved by Mr O'Shea, seconded by Mrs Hall and

RESOLVED – the application be approved subject to the conditions contained within the Officer's report and late items and the above note to the applicant.

361 HOUSING TYPE AND SIZE ON REDEVELOPMENT SITES (P45)

Further to minute no. 129 of 5 August 2008 the Development Services and Policy Manager indicated that a response had been received from the Department for Communities and Local Government re-emphasising the importance of Planning Policy Statement 3 and the need to provide a wide choice of high quality homes in suitable locations to address the housing requirements of the community.

Mr Bown left the meeting at 7:27 pm, returning at 7:29 pm.

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

RESOLVED – the following be agreed:

- (i) decisions on planning applications for flats and apartments will be made on the basis of central government advice in Planning Policy Statement 3 (PPS3), “Housing” and policies set out in the Regional Spatial Strategy as well as the Core Strategy and Site Allocations Document on Housing forming part of the Local Development Plan Document, as informed by Strategic Housing Market Assessments; and
- (ii) the requirement for parking levels will be based on the appropriate Development Plan Document of the Local Development Framework as informed by the adopted County Council’s Highways, Transport and Development (HtD) document as well as central government’s “Manual for Streets” and Planning Policy Guidance 13 “Transport” (PPG13).

362 THE BOROUGH OF HINCKLEY & BOSWORTH (LAND AT 17 LAUNDON CLOSE) GROBY (P46) AND THE BOROUGH OF HINCKLEY & BOSWORTH (LAND AT BOWLING CLUB, RECTORY LANE), MARKET BOSWORTH (P47) TREE PRESERVATION ORDERS 2008

These had both been brought before the Committee in consequence of objections from local residents.

Following advice from the Committee’s legal adviser as to the respective responsibilities of the owners of trees which are the subject of a Tree Preservation Order and the Council, it was moved by Mrs Aldridge, seconded by Mr O’Shea and

RESOLVED – these two Orders be confirmed as made.

363 APPEALS LODGED AND DETERMINED SINCE THE LAST MEETING (P48)

Members having noted that the appeal in respect of The Gatehouse, Cadeby has been withdrawn it was moved by Mr Boothby, seconded by Mr O’Shea and

RESOLVED – the report of the Director of Community and Planning Services be noted.

364 APPEALS – PROGRESS (P49)

A schedule was submitted indicating the stages that various appeals against planning decisions had reached, following which it was moved by Mr Morrell, seconded by Mr Boothby and

RESOLVED – the report of the Director of Community and Planning Services be noted.

(The meeting closed at 7.37 pm)