

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

1 SEPTEMBER 2009 AT 6.30 PM

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

Mrs M Aldridge, Mr JG Bannister, Mr CW Boothby, Mr JC Bown, Mr WJ Crooks, Mr DM Gould, Mrs A Hall, Mr P Hall, Mr CG Joyce, Mr K Morrell, Mr O O'Shea, Mr BE Sutton, Mr R Ward and Ms BM Witherford.

In accordance with Council Procedure Rule 4.4 Mr AJ Smith also attended the meeting.

Officers in attendance: Ms C Horton, Mr J Hicks, Miss R Owen, Mr TM Prowse and Mr M Rice.

167 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Mr K Nichols and the substitution of Mr Gould for Mr Nichols authorised in accordance with Council Procedure Rule 4.3.

168 MINUTES (P16)

On the motion of Mrs Aldridge, seconded by Mrs Hall, it was

RESOLVED – the minutes of the meeting held on 4 August 2009 be confirmed and signed by the Chairman.

169 DECLARATIONS OF INTEREST

No interests were declared at this stage.

170 DECISIONS DELEGATED AT PREVIOUS MEETING

The Director of Community and Planning Services reported on the following decisions which had been delegated at the previous meeting:

- 09/00141/DEEM: the Legal Agreement had now been finalised;

171 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P17)

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) 09/00592/C – Creation of Composting Site (County Council Number 2009/C103/04), Land South of Lindley Wood, Fenn Lanes, Fenny Drayton – Mr Zeeshan Aslam

Notwithstanding the officer's recommendation to support the application, Members felt that there was a lack of information with regard to highways and pollution matters. It was proposed by Mr Sutton, seconded by Mr Crooks and

RESOLVED – due to the lack of information with regard to highways and pollution matters, the Planning Committee feels it cannot support the application.

- (b) 09/00311/FUL – Conversion of public house into five apartments and associated car parking, King William IV, 35 Station Road, Market Bosworth – Mr N Smart

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

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

- (c) 09/00483/FUL – Erection of agricultural building to house dairy cattle, Hill Farm, Bagworth Road, Barlestone – Mr David Crane

It was moved by Mr Sutton, seconded by Mr O'Shea and

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

- (d) 09/00506/FUL – Erection of three dwellings with associated garages and access, Land rear of 333 and 335 Rugby Road, Burbage – Mr Byron Pountney

It was moved by Mr O'Shea, seconded by Mr Sutton and

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

Mr Smith left the meeting at 7.25pm.

172 THE BOROUGH OF HINCKLEY AND BOSWORTH (LAND AT 5 BACK LANE, MARKET BOSWORTH) TREE PRESERVATION ORDER 2009 (P18)

Members received a report which provided details of a proposed Tree Preservation Order. On the motion of Mr Bown, seconded by Mr O'Shea it was

RESOLVED – the Order be confirmed as made.

173 APPEALS LODGED AND DETERMINED (P19)

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

Mr Bown left the meeting at 7.40pm and returned at 7.42pm.

Some Members expressed concern that the Inspector's decision with regard to Common Farm, Barton Road, Carlton may set a precedent. However, in response it was stated that the Inspector had confirmed that this was a unique situation and that the policy with regard to the principle of new homes in the open countryside was not questioned.

Officers agreed to bring a report with regard to costs to a future meeting.

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

RESOLVED – the report be noted.

174 APPEALS – PROGRESS (P20)

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

RESOLVED – the report be noted.

175 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 the paragraphs of Part I of Schedule 12A of that Act indicated alongside each item.

176 DEED OF VARIATION (P21) (exempt in accordance with paragraphs 3 and 10)

Members gave consideration to a proposal to vary the terms of a Section 106 Agreement. Notwithstanding the recommendation of the Director of Community and Planning Services that the request to vary the terms of the Section 106 be agreed, Members felt that this may set a precedent and would also take money away from facilities for people of the Borough. Members did not feel fully able to make a decision on this until the protocol for renegotiation of Section 106 agreements had been prepared and agreed by Council.

It was moved by Mr Sutton, seconded by Mr O'Shea and

RESOLVED – the request to vary the Section 106 agreement be refused.

177 PLANNING ENFORCEMENT ACTION (P22) (exempt in accordance with paragraphs 2 and 10)

Members were provided with a periodic report on planning enforcement actions taken.

Messrs Boothby and O'Shea left the meeting at 8.15pm.

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

RESOLVED – the report be noted.

(The meeting closed at 8.27pm)