

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

16 MARCH 2010 AT 6.34 PM

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

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

In accordance with Council Procedure Rule 4.4 Mr DC Bill, Mr SL Bray, Mr MR Lay and Mrs S Sprason also attended the meeting

Officers in attendance: Mr B Cullen, Ms C Horton, Ms S Humphries, Ms T Miller, Miss R Owen, Mr M Rice and Mr S Wood.

459 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Mr WJ Crooks with the substitution of Dr Moore for Mr Crooks authorised in accordance with Council Procedure Rule 4.3.

460 MINUTES (P59)

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

RESOLVED – the minutes of the meeting held on 16 February 2010 be confirmed and signed by the Chairman.

461 DECLARATIONS OF INTEREST

Mr Mayne declared a personal and prejudicial interest in application 09/00915/OUT.

Mr Bown declared a personal and prejudicial interest in application 10/00040/FUL.

Mr and Mrs Hall declared a personal interest in application 10/00062/FUL. Mr Bill suggested that all Liberal Democrat Members should declare an interest in this application but was advised that this was not necessary depending on the level of close association individual Members considered themselves to have with the applicant.

Mrs Aldridge arrived at 6.40pm.

462 DECISIONS DELEGATED AT PREVIOUS MEETING

The Director of Community and Planning Services reported on the following applications which had been delegated at the meeting on 16 February:

- (i) 09/00797/FUL – it was reported that the decision had been issued;
- (ii) 09/00934/FUL – it was reported that issues had been resolved by the set date and the decision had been issued;
- (iii) 09/00950/FUL – it was reported that the issues had been resolved by the set date and the decision had been issued;
- (iv) 09/00873/FUL (19 January) – it was reported that the agreement had now been completed and issued.

463 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P60)

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) 09/00810/FUL – Mixed use development including retention, refurbishment and extension to existing buildings and demolition of factory buildings to create 50 dwellings and 6 apartments with associated parking, Flude House, Rugby Road, Hinckley – MRP Hinckley No.1 LP

On the motion of Mr Bown, seconded by Mr O'Shea, it was

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 towards the provision and maintenance of public play and open space facilities, education, library facilities, civic amenity facilities, healthcare provision and town centre infrastructure improvements by 6 April 2010, the Director of Community and Planning Services be granted powers to issue full planning permission subject to the conditions contained in the officer's report and late items. Failure to do so by 6 April 2010 might result in the application being refused.

Having declared a prejudicial interest in the following application, Mr Mayne left the meeting at 7.02pm and Mr Inman took the Chair at that point.

Mr Bill left the meeting at 7.02pm.

- (b) 09/00915/OUT – Erection of 62 dwellings and associated access, Land south of 26 to 28 Britannia Road, Burbage – Mr John Knapp

Mr Lay left the meeting and Mr Bill returned to the meeting at 7.11pm.

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

RESOLVED – the application be refused for the reasons contained in the officer's report and late items.

Mr Mayne returned to the meeting at 7.13pm and resumed the Chair. Mr Bray left the meeting and Mr Lay returned at 7.13pm.

- (c) 09/00987/FUL – Installation of a Multi Use Games Area (MUGA) and associated works, Recreational Ground, Main Street, Thornton – Bagworth & Thornton Parish Council

Mr Bray returned at 7.16pm.

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

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

- (d) 09/01009/OUT – Residential development (outline) with access, Land off London Road, Markfield – Jelson Limited

On the motion of Mr O'Shea, seconded by Mr Boothby, it was

RESOLVED – the application be refused for the reasons contained in the officer's report and late items.

Mrs Sprason and Mr Lay left the meeting at 7.35pm.

- (e) 10/00020/FUL – Erection of 8 dwellings and associated works, Land to the rear of 75 Station Road, Earl Shilton – Mr Robert Maloy

Some Members felt that this development would have a detrimental impact on neighbouring properties and it was moved by Mr Bown and seconded by Mr Hall that the application be refused. It was requested that voting on this motion be recorded, which was taken as follows:

Mr Bown, Dr Moore, Mrs Hall and Mr Hall voted FOR the motion (4);

Mr Inman, Mr Bannister, Mr Boothby, Mr Gould, Mr Joyce, Mr Morrell, Mr Ward and Ms Witherford voted AGAINST the motion (8);

Mr Mayne, Mrs Aldridge, Mr O'Shea and Mr Sutton abstained from voting.

The motion was therefore declared LOST.

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

RESOLVED – the Director of Community & Planning Services be granted delegated powers to issue planning permission subject to no significant additional objections being received before the end of the consultation period expiring on 22 March 2010 and the conditions contained in the officer's report and late items.

Having declared a prejudicial interest in the following application, Mr Bown left the meeting at 8.02pm.

- (f) 10/00040/FUL – Installation of a carbonaceous live fire training unit, Caterpillar UK Ltd, Peckleton Lane, Desford – Mr Dave Clayton

On the motion of Mrs Hall, seconded by Mr Gould, it was

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

Mr Bown returned at 8.33pm.

- (g) 09/01007/FUL – Residential Development for 84 dwellings including provision of open space, new access arrangements and other associated works, Greyhound Stadium, Nutts Lane, Hinckley – Crest Nicholson Operations Ltd

It was agreed that a condition be added with regard to code 3 for sustainable homes.

It was moved by Mr Gould, seconded by Mr O'Shea 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 towards the provision of affordable housing, the provision and maintenance of public play and open space facilities, education, library facilities, civic amenity facilities, health facilities, highway infrastructure and policing requirements by 8 April 2010, the Director of Community and Planning Services be granted powers to issue full planning permission subject to the conditions contained in the officer's addendum report, late items and the abovementioned additional condition (re sustainable homes). Failure to do so by 8 April 2010 might result in the application being refused.

Referring to the previous application on this site, Members asked that a letter of complaint be sent to the Highways Authority to express Members' disappointment in the inconsistent advice received. It was agreed that this would be sent in the name of the Chairman.

The Solicitor to the Committee stated he required authority to formally withdraw the reasons for refusal of the previous application.

RESOLVED –

- (i) a letter be sent to the Highways Authority to outline Members' concerns;
 - (ii) the reasons for refusal of the previous application be withdrawn.
- (h) 09/00358/FUL – Redevelopment of existing derelict site into a 2.5 storey 38 bed residential care home, 29 Moore Road, Barwell – Riverstone Estates

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

RESOLVED – subject to the signing an Agreement under Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972, 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 resolve the issue by 25 March 2010 might result in the application being refused.

Messrs Bill and Bray left the meeting at 8.50pm.

- (i) 09/00884/FUL – Demolition of existing garage buildings, construction of 25 new houses and 12 apartments with parking, 39 Derby Road, Hinckley – Westleigh Developments Limited

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

RESOLVED – subject to no significant material observations being received by the end of the consultation period expiring on 19 March 2010, the Director of Community and Planning Services be granted delegated powers to grant planning permission for the development subject to the conditions set out in the officer's report and late items and 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 towards the provision and maintenance of public play and open space facilities, education, library facilities, highways improvements, civic amenity facilities, healthcare provision and town centre infrastructure improvements by 22 March 2010. Failure to do so by 22 March 2010 might result in the application being refused.

- (j) 09/00922/FUL – Demolition of care/nursing home and proposed redevelopment of residential / nursing home and eight residential units, Moat House, New Road, Burbage – Adept Care Ltd

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

RESOLVED – subject to the resolution of the landscaping 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 towards the provision and maintenance of public play and open space facilities, library facilities, highways and health facilities, the Director of Community and Planning Services be granted powers to issue full planning permission subject to the conditions contained in the officer's report and late items. Failure to do so by 16 April 2010 might result in the application being refused.

- (k) 09/00923/CON – Demolition of existing residential care / nursing home, Moat House, New Road, Burbage – Adept Care Ltd

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

RESOLVED - subject to the resolution of ecological and landscaping 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 towards the provision and maintenance of public play and open space facilities, library facilities, highways and health facilities as required by application 09/00922/FUL, the Director of Community and Planning Services be granted powers to issue full planning permission subject to the conditions contained in the officer's report. Failure to do so by 16 April 2010 might result in the application being refused.

- (l) 10/00043/DEEM – Erection of one dwelling (outline with all matters reserved), Land adjacent 147 Wykin Road, Hinckley – Hinckley & Bosworth Borough Council

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

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

- (m) 10/00062/FUL – Extensions and alterations to dwelling, 12 Salisbury Road, Burbage – Mr Keith Lynch

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.

- (n) 09/00607/COU – Change of use from residential to the storage and reconditioning of portable buildings (retrospective), 20 Shaw Lane, Markfield – Mr Howard Statham

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

RESOLVED – the application be refused and enforcement proceedings be commenced for the reasons stated in the officer's report and late items.

- (o) 10/00019/FUL – Demolition of garage and erection of one new dwelling, 6 The Ridgeway, Burbage – Mr A West

On the motion of Mr O'Shea, seconded by Mr Morrell, it was

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

- (p) 10/00060/ADV – Erection of seven poster signs and 1 banner sign, Richard Roberts Dyers Ltd, Southfield Road, Hinckley – Hinckley & Bosworth Borough Council

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

RESOLVED – the application be approved.

- (q) 10/00103/FUL – Extensions and alterations to dwelling, Holly House Farm, Brascote Lane, Newbold Verdon – Martyn Smith

Attention was drawn to the amended recommendation in the late items. On the motion of Mrs Aldridge, seconded by Mr Bown, it was

RESOLVED – the application be approved subject to the conditions contained in the late items.

- (r) 10/00101/FUL – Alterations to cottages to form one dwelling, Holly House Farm, Brascote Lane, Newbold Verdon – Martyn Smith

Attention was drawn to the amended recommendation in the late items. It was moved by Mr Sutton, seconded by Mr O'Shea and

RESOLVED – the application be approved subject to the conditions contained in the late items.

- (s) 10/00123/FUL – Replacement of existing close boarded fence with brick wall, 30 Chapel Hill, Groby – Mr Martin Conroy

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

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

464 DEVELOPMENT MANAGEMENT: PROACTIVE PLANNING FROM PRE-APPLICATION TO DELIVERY (P61)

Members were advised of the consultation and draft response on the draft Planning Policy Statement on development management issued by the Department of Communities and Local Government in December 2009.

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

RESOLVED –

- (i) the report be noted;
- (ii) the consultation response be agreed.

465 MARKFIELD, EARL SHILTON AND DESFORD CONSERVATION AREA STATEMENTS & MANAGEMENT PLANS (P62)

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

466 APPEALS LODGED AND DETERMINED (P63)

A summary was submitted of appeals lodged and determined since the last meeting. It was moved by Mr O'Shea, seconded by Mrs Aldridge and

RESOLVED – the report be noted.

467 APPEALS – PROGRESS (P64)

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

RESOLVED – the report be noted.

468 PLANNING ENFORCEMENT ACTION (P65)

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

(The meeting closed at 9.20pm)