

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

2 NOVEMBER 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 MB Cartwright, Mr WJ Crooks, Mr DM Gould, Mrs A Hall, Mr P Hall, Mr CG Joyce, Mr K Morrell, Mr K Nichols, 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, Ms WA Moore and Mr DO Wright also attended the meeting.

Officers in attendance: Ms L Forman, Mr J Hicks, Ms T Miller, Miss R Owen, Mr M Rice, Mr B Whirrity and Mr S Wood.

288 MINUTES (P24)

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

RESOLVED – the minutes of the meeting held on 28 September 2010 be confirmed and signed by the Chairman.

289 DECLARATIONS OF INTEREST

Mrs Aldridge, Mr Boothby, Mr Morrell, Mr O'Shea, Mr Sutton and Mr Ward declared a personal interest in application 10/00661/OUT as the main objector was Chairman of the Conservative Association.

290 DECISIONS DELEGATED AT PREVIOUS MEETING

The Head of Planning reported on the following applications which had been delegated at the meeting on 28 September:

- (i) 10/00505/OUT – it was reported that the decision had been issued on 20 October 2010;
- (ii) 10/00642/OUT – it was reported that the decision had been issued on 1 October 2010;
- (iii) 10/00254/FUL – it was reported that the decision had been issued on 1 October 2010;
- (iv) 10/00465/OUT – it was reported that the decision had been issued on 12 October 2010;

291 BARWELL CONSERVATION AREA STATEMENTS & MANAGEMENT PLANS (P26)

The Committee received a report about the adoption of the Conservation Area Statements and Management Plans for the two conservation areas in Barwell.

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

RESOLVED – the Conservation Area Statements and Management Plans for Barwell be adopted as Planning Guidance.

292 FIVE YEAR LAND SUPPLY – OCTOBER 2010 UPDATE

At this juncture, the Head of Planning provided an update on the situation with regard to the five year land supply, stating that from the latest trajectory there was a shortfall of 477 dwellings which equated to four years' supply. This was an increase on the trajectory produced in April which gave a shortfall of 303 dwellings, or four years and four months' supply. Members expressed concern with regard to this.

293 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P25)

The Committee considered a schedule of planning applications, together with a list of late items, and the recommendations of the Deputy Chief Executive (Community Direction).

- (a) 10/00518/OUT – Mixed use development comprising up to 375 dwellings, employment (use classes B1a, B1c, B2 and B8), Local centre (use classes A1-A5 and D1), live-work units, works to Sketchley Brook Corridor, remodelling of lake and associated open space, parking and accesses (outline – access only), Land Bounded by the Ashby Canal, railway line and Bridge Street, incorporating the former Johnsons Factory, Burbage – Goodman Real Estate (UK) Ltd

It was noted that this item had been withdrawn from the agenda.

- (b) 10/00665/ADV – Erection of non illuminated signage, Atkins Building, Lower Bond Street, Hinckley – Hinckley & Bosworth Borough Council

It was noted that this item had been withdrawn from the agenda.

- (c) 10/00666/LBC – Erection of non illuminated signage, Atkins Building, Lower Bond Street, Hinckley – Hinckley & Bosworth Borough Council

It was noted that this item had been withdrawn from the agenda.

- (d) 10/00661/OUT – Residential Development (outline – access only), Land adjacent Hinckley Golf Club, Leicester Road, Hinckley – Flude Family Settlement 2004

Mr Sutton left the meeting at 7.42pm and returned at 7.45pm.

Notwithstanding the officer's recommendation to approve the application, it was moved by Mr O'Shea and seconded by Mr Boothby that the application be refused on the grounds that the development was not acceptable in the Green Wedge (Policy 6 refers). Mr Nichols proposed an amendment that Policy NE5 also be given as a reason for refusal due to the need to protect the countryside, which was agreed by Messrs O'Shea and Boothby.

Upon being put to the vote, the motion was CARRIED. It was therefore

RESOLVED – the application be refused on the grounds that

- (i) it would be contrary to the provisions of Policy 6 of the Core Strategy and would damage the function of the Hinckley / Barwell / Earl Shilton / Burbage Green Wedge as set out in Policy 6;
- (ii) it would be contrary to the provisions of Policy NE5 of the Adopted Local Plan which protects the countryside for its own sake and does not fall within any of the exceptions to this overriding principle.

Mr Gould, Ms Moore and Mr Wright left the meeting at 8.15pm.

- (e) 10/00695/FUL – Erection of a single storey “drive-through” A3/A5 restaurant, including details of parking, hard landscaping and external amenity area, Plot E, Maple Drive, Hinckley – Tungsten Properties Ltd & SME Plc

Mr Gould returned to the meeting at 8.17pm. Mr O'Shea and Mrs Aldridge left the meeting at 8.17pm returning at 8.20pm and 8.26pm respectively.

It was moved by Mr Joyce that the application be refused due to its design not being in keeping with the character of the area, traffic issues and hours of opening. In the absence of a seconder, the motion was not put to the vote.

It was requested that a condition be added to suggest relocation of the seating area away from the canal side.

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

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

Messrs Bill and Gould left the meeting at 8.50pm.

- (f) 10/00640/OUT – Mixed use development comprising up to 68 dwellings and employment (outline – access only), Dunlop Limited, Station Road, Bagworth – Johal and Kler Partnership

Notwithstanding the officer's recommendation that the application be refused, it was moved by Mr Boothby and seconded by Mr Sutton that the application be approved. There was, however, some concern with regard to the loss of a protected employment site, and after further discussion Messrs Boothby and Sutton withdrew their motion and requested that the application be deferred to the next meeting to await amended plans. It was agreed with the representative of the applicant that a plan be received in time for the re-consultation period to be done in advance of the next meeting showing that 30% of the site area would be retained for employment use, that there be no viability issues arising from that change and that the Section 106 be agreed and drafted in principle prior to the meeting. It was

RESOLVED – the application be deferred to the next meeting.

- (g) 10/00453/FUL – Erection of six dwellings, Land rear of 38 Station Road, Ratby – Mr Paul Cresswell

Notwithstanding the officer's recommendation that the application be approved, it was moved by Mr O'Shea and seconded by Mr Boothby that the application be refused due to the site being outside of the settlement boundary. The Head of Planning requested that voting on this item be recorded, which was taken as follows:

Mrs Aldridge, Mr Boothby, Mr Morrell, Mr O'Shea, Mr Sutton and Mr Ward voted FOR the motion (6);

Mr Inman, Mr Bannister, Mr Bown, Mr Crooks, Mrs Hall, Mr Hall, Mr Joyce and Ms Witherford voted AGAINST the motion (8);

Mr Mayne and Mr Nichols abstained from voting (2).

The motion was therefore declared LOST.

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

RESOLVED – the Deputy Chief Executive (Community Direction) be granted delegated powers to grant planning permission for the development subject to the conditions contained in the officer's report and late items 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 of two affordable homes. Failure to do so by 10 November 2010 might result in the application being refused.

At this juncture, it being 9.27pm, it was moved by Mr Bannister, seconded by Mr Nichols and

RESOLVED – the meeting be permitted to continue to 10pm to allow for consideration of the remaining items of business.

- (h) 10/00588/EXT – Extension of time for planning permission 07/00055/FUL (demolition of existing factory and redevelopment to form 13 flats), 1 Trinity Vicarage Road, Hinckley – SS and RK Sadhra

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

RESOLVED – the Deputy Chief Executive (Community Direction) be granted delegated powers to grant planning permission subject to the conditions contained in the officer's report 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. Failure to do so by 12 November 2010 might result in the application being refused.

- (i) 10/00684/FUL – Part demolition of existing agricultural buildings and renovation including pitched roof, Higham Fields, Basin Bridge Lane, Stoke Golding – Mrs Anne Morris

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

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

- (j) 10/00687/FUL – Erection of a detached farm building (retrospective), Fields Farm, Lutterworth Road, Burbage – Mr D Fox

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

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

- (k) 10/00708/FUL – Demolition of existing dwelling and erection of one new dwelling, 324 Station Road, Bagworth – Mr James Connor

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

RESOLVED – subject to no significant material observations being received prior to the expiry of the consultation period on 2 November 2010 the application be permitted subject to the conditions contained within the officer's report and late items.

- (l) 10/00729/FUL – Extensions and alterations to dwelling, 3-4 Crown Cottages, Newton Lane, Odstone – Mr & Mrs G Davenport

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

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

294 APPEALS LODGED AND DETERMINED (P27)

A summary was submitted of appeals lodged and determined since the last meeting. It was highlighted that of the five appeals reported, all but one had been dismissed. It was moved by Mr Bown, seconded by Mr Nichols and

RESOLVED – the report be noted.

295 APPEALS – PROGRESS (P28)

A schedule was submitted indicating the stages that various appeals against planning decisions had reached. It was reported that the appeal with regard to Britannia Road would now be a Public Inquiry. It was moved by Mr Crooks, seconded by Mr O'Shea and

RESOLVED – the report be noted.

296 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Mr Crooks, 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 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.

297 PLANNING ENFORCEMENT ACTION (P29)

Members were provided with a periodic report on planning enforcement actions taken and were updated as to the progress in working through the backlog of cases and reducing the list of active enforcement issues. It was highlighted that the number of open cases had halved compared to the previous enforcement report to the Planning Committee. It was

RESOLVED – the report be noted.

(The meeting closed at 9.50pm)