

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

24 MAY 2011 AT 6.30 PM

PRESENT: MR DM GOULD - CHAIRMAN
MR R MAYNE - VICE-CHAIRMAN

Mr CW Boothby, Mr MB Cartwright, Mrs T Chastney, Mr WJ Crooks, Mrs A Hall, Mrs L Hodgkins, Mr MR Lay, Mr J Moore, Mr K Morrell, Mr K Nichols, Mr BE Sutton, Miss DM Taylor, Mr R Ward and Ms BM Witherford.

Officers in attendance: Ms T Miller, Miss R Owen, Mr M Rice and Mr S Wood.

13 **APOLOGIES**

Apologies for absence were submitted on behalf of Mr RG Allen, Mr JG Bannister, Mr PR Batty and Mr DC Bill with the following substitutions authorised in accordance with Council Procedure Rule 4.1:

Mrs Hodgkins for Mr Bannister
Mr Morrell for Mr Batty
Mr Cartwright for Mr Bill.

14 **MINUTES (P1)**

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

RESOLVED – the minutes of the meeting held on 27 April 2011 be confirmed and signed by the Chairman.

15 **DECLARATIONS OF INTEREST**

No interests were declared at this stage.

16 **DECISIONS DELEGATED AT PREVIOUS MEETING**

The Head of Planning reported on the following decisions which had been delegated at the previous meeting:

- (a) 11/00046/FUL – it was reported that the Section 106 agreement was still being drawn up;
- (b) 11/00224/FUL – the decision had been issued on 24 May 2011;
- (c) 11/00058/EXT – the decision had been issued on 28 April 2011;
- (d) 11/00222/CONDIT – this decision would be issued shortly.

17 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P2)

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).

Mr Sutton arrived at 6.40pm.

- (a) 11/00166/FUL – Agricultural Building for Livestock and storage of hay, Land East of Heath Road, Bagworth – Mr Darren Price

It was reported that this application had been withdrawn from the agenda.

- (b) 10/00173/COU – Retrospective change of use from A1 (Delicatessen) to A3 (Café) – Mr Raymond Fudge

It was reported that this application had been withdrawn from the agenda.

- (c) 11/00184/FUL – Erection of agricultural building, Land opposite Oak Farm, Ratby Lane, Markfield – Mr John Spiby

It was reported that this application had been withdrawn from the agenda.

- (d) 11/00296/FUL – Extensions and alterations to Parish Hall, Market Bosworth Parish Hall, 25 Park Street, Market Bosworth – Market Bosworth Parish Hall

It was reported that this application had been withdrawn from the agenda.

- (e) 11/00297/CON – Demolition of existing single storey WCs and entrance lobby to facilitate extensions and alteration to Parish Hall, Market Bosworth Parish Hall, 25 Park Street, Market Bosworth – Market Bosworth Parish Hall

It was reported that this application had been withdrawn from the agenda.

- (f) 11/00228/FUL – Erection of one dwelling, detached garage and formation of access, Rear of 8 Sutton Lane, Market Bosworth – Mr & Mrs J Hitchcock

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

RESOLVED – the application be refused for the reasons outlined in the officer's report.

- (g) 11/00153/COU – Change of use of land from agricultural land to mixed use of agricultural and equestrian land and erection of associated buildings, Land at Markfield Lane, Thornton – Mrs Margaret Ashby

Notwithstanding the officer's recommendation that the application be approved subject to conditions, Members felt that the proposal impacted on the character of the countryside and did not meet the requirements of policy NE5 of the Local Plan. It was moved by Mr Boothby and seconded by Mr Crooks that the application be refused for these reasons.

The Head of Planning requested that voting be recorded on this motion.

Mr Boothby, Mr Cartwright, Mrs Chastney, Mr Crooks, Mrs Hall, Mrs Hodgkins, Mr Lay, Mr Moore, Mr Morrell, Mr Nichols, Mr Sutton, Miss Taylor, Mr Ward and Ms Witherford voted FOR the motion (14);

Mr Gould and Mr Mayne voted AGAINST the motion (2).

The motion was therefore declared CARRIED.

RESOLVED – the application be refused for the following reasons:

In the opinion of the Local Planning Authority the proposed development by virtue of the number and proliferation of the buildings together with their location within the site would have a harmful impact upon the openness of the site and the character and appearance of the countryside in which it is located. It is therefore considered to be contrary to Planning Policy Statement 7: Sustainable Development in Rural Areas and Policy NE5 of the adopted Hinckley and Bosworth Local Plan.

- (h) 11/00281/FUL – Extensions and alterations to dwelling (retrospective), 3 Lime Avenue, Groby – Mrs Alka Mistry

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

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

- (i) 11/00260/COU – Change of use from storage to leisure, Dennis House, 4 Hawley Road, Hinckley – Mr David Johnson

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

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

- (j) 11/00004/FUL – Change of use from agricultural barn to holiday cottages including extension and alterations, White Gate Farm, Mythe Lane, Witherley – Mr M Ketcher

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

RESOLVED – subject to no significant material observations being received by the end of the consultation period expiring on 25 May 2011, the Deputy Chief Executive (Community Direction) be granted delegated powers to grant planning permission subject to the conditions contained in the officer's report.

18 CERTIFICATE OF LAWFUL PROPOSED USE (P3)

Members were presented with a report regarding a request for a certificate of lawful proposed use at 15 Crownhill Road, Burbage. It was explained that the proposed use of the premises was for the care of a maximum of three children and officers felt that this did not result in a material change of use. Members were reminded that this was not an application for permission, but was about whether this was a lawful use under current planning legislation.

Members were concerned about the impact on local residents, particularly due to problems which had occurred in the past. In response to further discussion on the use of the premises, officers reminded Members that the activities within the building and the standard of care were a matter for OFSTED.

Members felt that the planning system was at fault in suggesting that permission wasn't required for such changes of use and it was requested that representations be made to the Government with regard to this.

Members considered that the proposed use as described in the application would be a material change of use.

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

RESOLVED –

- (i) a certificate of lawful proposed use be not granted;
- (ii) representation be made to the Government regarding the need to apply for planning permission in certain situations.

19 APPEALS LODGED AND DETERMINED (P4)

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

RESOLVED – the report be noted.

Mr Boothby left the meeting at 8.37pm.

20 APPEALS – PROGRESS (P5)

A schedule was submitted indicating the stages that various appeals against planning decisions had reached. It was noted that the appeal with regard to Eastwoods Service Station had been dismissed. On the motion of Mr Nichols, seconded by Mr Crooks, it was

RESOLVED – the report be noted.

(The meeting closed at 8.42pm)