

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

21 JUNE 2011 AT 6.30 PM

PRESENT: MR R MAYNE - VICE-CHAIRMAN (in the Chair)

Mr R Allen, Mr PR Batty, Mr DC Bill, Mr CW Boothby, Mrs T Chastney, Mr WJ Crooks, Mrs L Hodgkins, Mr MS Hulbert, Mr MR Lay, Mr J Moore, Mr K Nichols, Mr BE Sutton, Miss DM Taylor, Mr R Ward and Ms BM Witherford.

Officers in attendance: Ms V Bunting, Ms C Horton, Miss R Owen, Mr M Rice and Mr S Wood.

21 CHAIRMAN & VICE-CHAIRMAN FOR THIS MEETING

In the absence of the Chairman, Mr Mayne took the Chair for this meeting. He requested that a member of the Committee sit in the Vice-Chair's seat. On the motion of Mr Mayne, seconded by Mr Lay, it was

RESOLVED – Mr Nichols take the Vice-Chair's seat for this meeting only.

22 APOLOGIES

Apologies for absence were submitted on behalf of Mr JG Bannister, Mr DM Gould and Mrs WA Hall with the following substitutions authorised in accordance with Council Procedure Rule 4.1:

Mrs Hodgkins for Mr Bannister
Mr Hulbert for Mrs Hall.

23 MINUTES (P6)

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

RESOLVED – the minutes of the meeting held on 24 May 2011 be confirmed and signed by the Chairman.

24 DECLARATIONS OF INTEREST

No interests were declared at this stage.

25 DECISIONS DELEGATED AT PREVIOUS MEETING

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

11/00004/FUL – it was reported that the decision had been issued on 26 May.

26 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P7)

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) 11/00406/DEEM – Change of use from class B1 offices to class D1 consulting / treatment rooms, Florence House, St Marys Road, Hinckley – Hinckley & Bosworth Borough Council

It was reported that this application had been withdrawn from the agenda.

- (b) 11/00271/FUL – Change of use from butchers to retail and assembly of kitchen units and office, erection of outbuildings and creation of first floor living accommodation, 62 Castle Street, Hinckley – Mr Roy Hartley

In response to Members' concern regarding privacy of the neighbours, officers agreed to ensure steps were taken to control as much as possible within building regulations the glazing and fixing of windows in the living accommodation.

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

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

Mr Bray left the meeting at 7.07pm.

- (c) 11/00363/CON – Demolition of garage, 67 Stockwell Head, Hinckley – Mr Roy Hartley

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

RESOLVED – Conservation Area Consent be granted subject to the conditions contained in the officer's report.

- (d) 11/00029/OUT – Residential Development (outline – access only), Land south of Newbold Road / Manor Road Junction, Desford – Hallam Land Management Ltd

The Head of Planning reported additional amendments to the reasons for refusal – namely the inclusion of NE5 and RES5 as reasons for refusal and an amendment to the terms of the Section 106 Agreement.

Some Members expressed disappointment that the application was recommended for refusal when there had been little objection to the proposals and when it would provide additional housing to meet need. It was acknowledged that the target date for determining the application had already passed.

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

RESOLVED – the application be deferred to allow for further discussions with the applicant.

- (e) 11/00219/REM – Erection of 59 dwellings (siting, appearance, layout and landscaping), St Martins Convent, Hinckley Road, Stoke Golding – Mr Mark Horsley

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

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

Mr Batty left the meeting at 8.13pm.

- (f) 11/00287/FUL – Erection of agricultural building, Shackerstone Barns, Wharf Farm, Station Road, Shackerstone – The Crown Estate

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

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

Mr Batty returned at 8.15pm.

- (g) 11/00402/COU – Retrospective change of use from A1 (delicatessen) to A3 (café) including outbuilding, Peppercorn Cottage, 8 Market Place, Market Bosworth – Mr Raymond Fudge

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

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

Mrs Hodgkins and Miss Taylor left the meeting at 8.37pm.

- (h) 11/00270/FUL – Extension and alterations to club house, Bagworth Community Centre, Station Road, Bagworth – Mr John Sinfield

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

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

- (i) 11/00290/FUL – Erection of agricultural building, Snowdene Farm, Main Street, Botcheston – Mr Richard Cobley

Concern was expressed with regard to the accuracy of the stated acreage of the site. It was agreed that if found to be inaccurate it would be delegated to the Chairman / Vice-Chairman to make the final decision.

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

RESOLVED – members be minded to permit the application subject to no new material objections being received prior to the expiry of the consultation period on 28 June 2011 and the conditions contained in the officer's report. Should any details with regard to the acreage change, the final decision be delegated to the Chairman / Vice-Chairman.

- (j) 11/00365/COUL – Change of use of land from open space to residential curtilage (5 metre strip) and erection of fencing, Land adj 50 Forest Rise, Groby – Mr Peter Dean

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

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

Mrs Hodgkins and Miss Taylor returned to the meeting at 8.39pm.

27 ENFORCEMENT PROTOCOL (P8)

Members were informed of the proposed enforcement protocol for use in the delivery of the development control service. It was acknowledged that the report omitted information on how to deal with enforcement issues brought to committee but then refused. It was agreed that this would be added.

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

RESOLVED –

- (i) the content of the report be noted with the abovementioned addition;
- (ii) the measures and procedures set out in the enforcement protocol for use in the delivery of an effective customer focussed enforcement service be agreed.

28 RELAXATION OF PLANNING RULES FOR CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL (P9)

Members were presented with a draft consultation response to the proposed changes regarding the relaxation of planning rules for change of use from commercial to residential, issued by the Department of Communities and Local Government in April 2011.

Members felt that this was not positive news for rural communities, but that many concerns had been covered in the officer's response. Members also felt that whilst building regulations were still in place, there was still a risk of unsuitable premises being changed into residential units. Officers agreed to ensure this was addressed in the response.

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

RESOLVED – the report be noted and response agreed with the abovementioned points taken into consideration.

29 “PLANNING FOR TRAVELLERS SITES” CONSULTATION DOCUMENT

Members were informed of the above consultation document and their support was sought. Concern was expressed with regard to the number of sites just outside of the Borough boundary which could not be counted towards this authority’s figures, and officers agreed that all sites which impact on the Borough should be considered.

Mr Ward left the meeting at 8.54pm and returned at 8.57pm.

Further concern was expressed with regard to the methodologies used in the past having caused problems, the number of temporary sites which had become permanent, and the fact that local authorities would be required to set their own evidence-based targets for the provision of pitches/plots, but that no guidance on the type and amount of evidence required would be provided.

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

RESOLVED – the report and recommendations be endorsed and the Executive be RECOMMENDED to approve the response.

30 APPEALS LODGED AND DETERMINED (P11)

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

RESOLVED – the report be noted.

31 APPEALS – PROGRESS (P12)

A schedule was submitted indicating the stages that various appeals against planning decisions had reached. On the motion of Mr Lay, seconded by Mr Nichols, it was

RESOLVED – the report be noted.

(The meeting closed at 9.12pm)