

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

16 AUGUST 2011 AT 6.30 PM

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

Mr R Allen, Mr DC Bill, Mr CW Boothby, Mr WJ Crooks, Mrs A Hall, Mr DW Inman, Mr J Moore, Mr K Nichols, Mr LJP O'Shea, Mrs H Smith, Mr BE Sutton, Miss DM Taylor, Mr R Ward and Ms BM Witherford.

In accordance with Council Procedure Rule 4.2, Mr SL Bray, Mr DS Cope and Mr MT Mullaney were also in attendance.

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

102 APOLOGIES

Apologies for absence were submitted on behalf of Mr Bannister and Mr Batty with the following substitutions authorised in accordance with Council Procedure Rule 4.1:

Mr Inman for Mr Bannister;
Mrs Smith for Mr Batty.

103 MINUTES (P17)

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

RESOLVED – the minutes of the meeting held on 19 July 2011 be confirmed and signed by the Chairman.

104 DECLARATIONS OF INTEREST

No interests were declared at this stage.

105 DECISIONS DELEGATED AT PREVIOUS MEETING

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

- (i) 11/00334/EXT – it was noted that the decision would be issued shortly;
- (ii) 11/00216/LBC – it was reported that the Secretary of State had indicated that a decision would be issued by 5 October 2011.

106 AFFORDABLE RENT AND DISCOUNTED SALES HOUSING (P19)

The Committee received a report which informed Members of the new affordable rent product and the discounted sale option for intermediate housing.

Members expressed concern about such major changes and asked that further information be provided. It was agreed that a workshop would be arranged to discuss the matter in more detail, before bringing a report back to the Planning Committee.

RESOLVED – a workshop be held for all Members and the report be brought back to a future meeting of the Committee.

107 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P18)

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) 11/00029/OUT – Erection of up to 135 dwellings with associated infrastructure, public open space and provision of vehicular and pedestrian access, Land south of Newbold Road / Manor Road Junction, Desford – Hallam Land Management Ltd

On the motion of Mr Sutton seconded by Mr Crooks it was

RESOLVED – subject to no objections being raised from the outstanding consultees, the Deputy Chief Executive (Community Direction) be granted delegated powers to grant outline planning permission subject to the conditions contained in the officers 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 affordable housing, the provision and maintenance of on-site and off-site public play and open space facilities and towards education.

- (b) 11/00431/FUL – Demolition of nos 84 and 86 Main Street and buildings to the rear of 78 and erection of six new dwellings and 4890 square foot of retail, The George Inn, 78 Main Street, Markfield – Midlands Co-operative Society

Notwithstanding the officer's recommendation that the application be permitted, Members were concerned about the impact on a nearby property and asked that the application be deferred for further discussion with the applicant regarding the objections raised relating to the location of the bin store and air conditioning units. On the motion of Mr Inman, seconded by Mr O'Shea it was

RESOLVED – the application be deferred for further discussion with the applicant.

- (c) 11/00455/CON – Demolition of nos 84 and 86 Main Street and buildings to the rear of 78 and erection of six new dwellings and 4890 square foot of retail, The George Inn, 78 Main Street, Markfield – Midlands Co-operative Society

It was decided to defer this application so it could be considered jointly with application 11/00431/FUL. On the motion of Mr Inman, seconded by Mr O’Shea, it was

RESOLVED – the application be deferred so it could be considered jointly with application 11/00431/FUL.

- (d) 11/00353/FUL – Demolition of public house and erection of residential care home, The Middlefield Inn, Tudor Road, Hinckley – Ideal Care Homes Ltd & Punch Partnership (PTL) Ltd

On the motion of Mr O’Shea, seconded by Mr Allen it was

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

Mr Cope and Mr Mullaney left the meeting at 8.01pm.

- (e) 11/00471/FUL – Demolition of existing dwelling and garage and the erection of new dwelling with associated access and parking provision, 6 Boyslade Road East, Burbage – Mrs Jayne Barnes

Notwithstanding the officer’s recommendation that the application be permitted, it was moved by Mr Inman and seconded by Mr Moore that the application be refused due to its overbearing nature on nearby properties and the streetscene.

The Head of Planning requested that voting on this motion be recorded. The vote was taken as follows:

Mr Bill, Mr Crooks, Mr Inman, Mr Mayne, Mr Moore, Mr Nichols, Miss Taylor, Mr Ward and Ms Witherford voted FOR the motion (9);

Mr Allen, Mr Boothby, Mr Gould, Mr O’Shea, Mrs Smith and Mr Sutton voted AGAINST the motion (6);

Mrs Hall abstained from voting (1).

The motion was therefore declared CARRIED.

RESOLVED – the application be refused on the grounds of its overbearing nature on nearby properties and the streetscene.

- (f) 11/00477/FUL – Erection of electricity sub station (retrospective), Land adjacent M1, Ferndale Drive, Ratby – Mr John Cawrey

Some Members felt that the sub station was in an inappropriate location and it was moved by Mr Boothby and seconded by Mr Allen that the application be refused.

The Head of Planning requested that voting on this motion be recorded. The vote was taken as follows:

Mr Allen, Mr Boothby, Mr Nichols, Mr O'Shea and Mr Ward voted FOR the motion (5);

Mr Bill, Mr Crooks, Mr Gould, Mrs Hall, Mr Inman, Mr Moore, Mrs Smith, Mr Sutton, Miss Taylor and Ms Witherford voted AGAINST the motion (10);

Mr Mayne abstained from voting (1).

The motion was therefore declared LOST.

Mr Inman seconded by Mrs Hall moved that the application be permitted with a strict condition regarding landscaping.

RESOLVED – the application be permitted subject to the conditions contained in the officer's report and an additional condition requiring a landscaping scheme together with an implementation programme to be submitted within 28 days of the decision date.

- (g) 11/00490/FUL – Change of use from offices (B1a) to D1 use, 27 Station Road, Hinckley – Mrs Catharine Ruskin

On the motion of Ms Witherford, seconded by Mr Bill it was

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

Mr Boothby and Mr O'Shea left the meeting at 9.01pm.

- (h) 11/00396/FUL – Conversion of existing garage into a dwelling and alterations to existing property to form new garage, 333 Rugby Road, Burbage – Mr Byron Pountney

Notwithstanding the officer's recommendation that the application be permitted, it was moved by Mr Inman and seconded by Mr Moore that the application be refused due to the layout of the site resulting in a contrived form of development. The Head of Planning requested that voting on this motion be recorded.

The vote was taken as follows:

Mr Allen, Mr Bill, Mr Crooks, Mrs Hall, Mr Inman, Mr Mayne, Mr Moore, Mr Nichols, Mrs Smith, Mr Sutton, Miss Taylor, Mr Ward and Ms Witherford voted FOR the motion (13);

There were no votes AGAINST the motion (0);

Mr Gould abstained from voting (1).

The motion was therefore declared CARRIED.

RESOLVED – the application be refused on the grounds that the layout of the site resulted in a contrived form of development.

- (i) 11/00472/FUL – Extension to existing sports hall, change of agricultural field to sports field and creation of car parking, Sport in Desford, Peckleton Lane, Desford – Sport In Desford

Whilst in support of the application a Member requested that officers discuss with the applicant the possibility of widening the visibility splays. It was

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

- (j) 11/00398/COU – Change of use of first floor flat to ministry rooms ancillary to church (D1 use), Elohim Church Hub, Newbold Road, Barlestone – Mr Keith Flude

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

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

108 APPEALS LODGED AND DETERMINED (P20)

A summary was submitted of appeals lodged and determined since the last meeting. Particular attention was drawn to the appeals with regard to applications 10/00661/OUT (land adjacent to Hinckley Golf Club, Leicester Road, Hinckley) and 09/00915/OUT (land south of 26-28 Britannia Road, Burbage), which had been allowed.

At this juncture, Mr Nichols expressed his disillusionment with the planning system and the lack of support or understanding of local issues by central government. He also expressed disappointment at having written to the Secretary of State for Communities and Local Government last year regarding his concerns but having received no response or even acknowledgement. He announced his resignation from the Planning Committee with effect from the close of this meeting.

At this juncture, having reached 9.30pm, it was moved by Mr Inman, seconded by Mr Crooks and

RESOLVED - the meeting be allowed to continue until all business on the agenda had been transacted.

On returning to discussion on report P20, other Members expressed their disappointment in the appeal outcomes. It was requested that the views expressed by Mr Nichols be put into a letter to the Secretary of State from the Committee, and that the Head of Planning, Chief Executive and Deputy Chief Executives also be asked to write to him.

Mr Nichols also drew attention to the relevant section of the Council's Constitution which required a sample of planning applications to be revisited to examine the quality of the decision. He requested that this now be actioned.

Members thanked Mr Nichols for his work on the Planning Committee and urged him to reconsider his resignation from the Committee.

It was requested that when the workshop on affordable housing is held, this also be coupled with a presentation on changing policies.

RESOLVED –

- (i) letters be sent to the Secretary of State from the Planning Committee, the Chairman, the Head of Planning, the Chief Executive and Deputy Chief Executives;
- (ii) a sample of planning decisions be revisited as stated in the Constitution;
- (iii) new policies be discussed in the workshop which has been agreed to look at affordable housing.

109 APPEALS – PROGRESS (P21)

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

RESOLVED – the report be noted.

(The meeting closed at 9.45pm)