

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

12 NOVEMBER 2013 AT 6.30 PM

PRESENT: Mr R Mayne - Chairman
Miss DM Taylor – Vice-Chairman
Mr RG Allen, Mr JG Bannister, Mr CW Boothby (for Mr K Morrell), Mrs T Chastney,
Mr WJ Crooks, Mrs WA Hall, Mr MS Hulbert, Mr DW Inman, Mr KWP Lynch,
Mr JS Moore, Mrs H Smith, Mr BE Sutton, Mr R Ward and Ms BM Witherford

In accordance with Council Procedure Rule 4.2 Councillors Mr DC Bill MBE and Mr MT Mullaney were also in attendance.

Officers in attendance: James Hicks, Tracy Miller, Rebecca Owen and Michael Rice

255 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillors Morrell and O'Shea, with Councillor Boothby substituting for Councillor Morrell in accordance with Council Procedure Rule 4.

256 MINUTES

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

RESOLVED – the minutes of the meeting held on 15 October 2013 be approved and signed by the Chairman.

257 DECLARATIONS OF INTEREST

No interests were declared at this stage.

258 DECISIONS DELEGATED AT PREVIOUS MEETING

The Development Control Manager reported that the decision was now to be issued regarding application 13/00603/CONDIT which had been referred to the Secretary of State at the previous meeting.

259 TOWN & COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED

A schedule of applications was presented along with a list of late items.

- (a) 13/00117/FUL – Erection of 95 dwellings with associated parking, garages and infrastructure, land adjacent Woodgate Road, Burbage – Mr Lee Griffin

Whilst in support of the officer's recommendation that the application be refused, it was moved by Councillor Hall and seconded by Councillor Moore that further reasons for refusal on grounds of ecology, highway capacity and safety and impact on neighbours (policy BE1) be added. Upon being put to the vote the MOTION was CARRIED. It was therefore

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

- (b) 13/00520/FUL – Erection of 65 dwellings and associated works including 2 balancing ponds, formal play area space, public open space, land at Station Road, Market Bosworth – Miss Amy Watts

On the motion of Councillor Taylor, seconded by Councillor Sutton, it was

RESOLVED – the application be deferred as recommended in the late items.

- (c) 13/00778/FUL – Development for 664 sqm of formal play space (linked with application 13/00520/FUL), land at Station Road, Market Bosworth – Miss Amy Watts

On the motion of Councillor Taylor, seconded by Councillor Sutton, it was

RESOLVED – the application be deferred as recommended in the late items.

- (d) 13/00559/OUT – Erection of 11 dwellings (outline – access only), land south of Pinewood Drive, Markfield – Mr Richard Gennard

On the motion of Councillor Crooks, seconded by Councillor Bannister, it was

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

- (e) 13/00685/OUT – Erection of 10 dwellings (outline – access only), land off Paddock Way, Hinckley – Paynes Garages Limited

Notwithstanding the officer's recommendation that this be approved subject to a Section 106 Agreement and conditions, some members felt that the Appeal Inspector's decision in 2005 on grounds of the land representing a valuable area of separation between the properties on Coventry Road and the Paddock Way development was still relevant and the application should be refused on this basis. It was moved by Councillor Lynch and seconded by Councillor Taylor that the application be refused for this reason.

The Development Control Manager requested that voting be recorded on this motion. The vote was taken as follows:

Councillors Allen, Bannister, Boothby, Chastney, Crooks, Lynch, Moore, Smith, Taylor and Witherford voted FOR the motion (10);

Councillors Mrs Hall, Hulbert and Sutton voted AGAINST the motion (3).

Councillors Inman, Mayne and Ward abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED – the application be refused for the abovementioned reason.

- (f) 13/00687/CONDIT – Removal of condition no 3 of planning permission 06/00027/FUL to remove the boundary hedge, Paynes Garages Ltd, Watling Street, Hinckley – Paynes Garages Ltd

On the motion of Councillor Sutton, seconded by Councillor Bannister, it was

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

- (g) 13/00794/FUL – Erection of two dwellings, 26 Main Road, Sheepy Magna – Mr T Clarke

Having reached 9.25 pm, it was moved by Councillor Moore, seconded by Councillor Hall and

RESOLVED – the meeting be allowed to continue to conclude business.

Notwithstanding the officer's recommendation that the application be approved, some members felt that the development would impact on neighbours due to its scale and mass, and that it constituted garden grabbing. It was moved by Councillor Ward, seconded by Councillor Chastney and

RESOLVED – the application be refused for the abovementioned reasons.

- (g) 13/00835/HOU – Extensions and alterations to dwelling, 49 Stamford Drive, Groby – Mr S Dempsey

At the commencement of this item the Chairman stated that Councillor Batty, who had registered to speak as an objector in order to be open and transparent due to his objection being personal, as a neighbour of the site, would speak in objection then leave the room whilst the matter was debated and the vote taken. He duly left the meeting at 9.55pm.

On the motion of Councillor Taylor, seconded by Councillor Lynch, it was

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

- (h) 13/00804/OUT – erection of three dwellings, land rear of 141 to 151 Station Road, Ratby – Mr John Spencer

A member felt that this application should be refused due to the unsuitable access, unnecessary development in terms of housing numbers and the detrimental impact on the character of the area. It was moved by Councillor Boothby and seconded by Councillor Allen that the application be refused. Upon being put to the vote, the MOTION was declared LOST.

It was then moved by Councillor Hall, seconded by Councillor Bannister and

RESOLVED – subject to an agreement under Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972 or receipt of an acceptable Unilateral Undertaking under S106 of the Town and Country Planning Act 1990 to provide financial contributions towards play and open space, the Development Control Manager be granted delegated powers to grant planning permission subject to the conditions contained in the officer's report. Failure to complete the agreement by 3 December 2013 might result in the application being refused.

Councillor Boothby left the meeting at 10.06pm.

- (i) 13/00813/FUL – Erection of an agricultural building, land south of Hinckley Lane, Higham on the Hill – Mr D Tallis

On the motion of Councillor Allen, seconded by Councillor Bannister, it was

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

- (j) 13/00862/C – outline application (access only) for residential development, including the importation of material and in-fill engineering works to former clay pit to enable residential development, land rear of 42 Ashby Road, Hinckley (County Council Identity Number: 2013/CM/0299/LCC) – Leicestershire County Council

On the motion of Councillor Bannister, seconded by Councillor Mayne, it was unanimously

RESOLVED – Leicestershire County Council be advised that Hinckley & Bosworth objects for the reasons set out in the officer's report.

Councillor Hulbert left the meeting at 10.15pm.

260 APPEALS LODGED AND DETERMINED

In considering the report regarding appeals lodged and determined since the previous report, a ministerial statement regarding windfarms was discussed and it was agreed to circulate this to members.

On the motion of Councillor Witherford, seconded by Councillor Chastney, it was

RESOLVED – the report be noted.

261 APPEALS PROGRESS

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

RESOLVED – the report be noted.

262 DELEGATED DECISIONS ISSUED

On the motion of Councillor Crooks, seconded by Councillor Bannister, it was

RESOLVED – the report be noted.

263 ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

(The Meeting closed at 10.22 pm)

CHAIRMAN