

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

15 NOVEMBER 2011 AT 6.30 PM

PRESENT: Mr DM Gould - Chairman  
Mr R Mayne – Vice-Chairman  
Mr RG Allen, Mr JG Bannister, Mr PR Batty, Mr DC Bill, Mr CW Boothby,  
Mrs T Chastney, Mr WJ Crooks, Mrs WA Hall, Mrs L Hodgkins, Mr JS Moore,  
Mr BE Sutton, Miss DM Taylor, Mr R Ward and Ms BM Witherford

In accordance with Council Procedure Rule 4.2 Councillors Mr SL Bray, Mr DW Inman, Mr MR Lay and Mr K Morrell were also in attendance.

Officers in attendance: Tracy Miller, Michael Rice and Simon Wood

240 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Mr O'Shea with the substitution of Mrs Smith for Mr O'Shea authorised in accordance with Council Procedure Rule 4.1.

241 MINUTES

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

RESOLVED – the minutes of the meeting held on 11 October be confirmed and signed by the Chairman.

242 DECLARATIONS OF INTEREST

Mr Gould, Mrs Hall, Mrs Hodgkins, Mr Mayne, Miss Taylor and Mrs Witherford declared a personal interest in application 11/00693/FUL.

Mr Mayne declared a personal interest in application 11/00719/OUT.

Mr Gould declared a personal interest in application 11/00788/DEEM.

243 DECISIONS DELEGATED AT PREVIOUS MEETING

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

- (i) 11/00571/FUL – viability issues were being resolved before the decision being referred to the Secretary of State;
- (ii) 11/00597/FUL – the decision had been issued on 20 October;
- (iii) 11/00581/EXT – the decision had been issued on 3 November.

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

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) 11/00360/OUT – business technology campus comprising replacement MIRA headquarters, office, research and manufacturing facilities, hotel and local facilities including retail / café / restaurant, indoor and outdoor leisure, ancillary energy generation plant / equipment, internal access roads, car parking, landscaping drainage and associated works and creation of new improvement access points, widening of A5, associated earth works and landscaping (outline: access only) (cross boundary application with north Warwickshire Borough Council) (departure from the Development Plan) (EIA development), MIRA Ltd, Watling street, Caldecote, Nuneaton – MIRA Technology Park Ltd

On the motion of Mr Mayne, seconded by Mr Bill, it was unanimously

RESOLVED –

- (a) the Secretary of State be notified, pursuant to the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999 (the Directions), that the Local Planning Authority is minded to grant planning permission subject to the conditions set out in the officer's report and late items and subject to the receipt of an undertaking pursuant to Section 106 of the Town and Country Planning Act to secure off-site cycle network improvements;
- (b) if the Secretary of State does not notify the Local Planning Authority within the time frame set out in the Directions that he intends to issue a direction, then the Deputy Chief Executive (Community Direction) be granted authority to approve the application in accordance with (a) above.
- (b) 11/00693/FUL – Change of use of land for the provision of four mobile homes, The Poplars, Watling Street, Hinckley – Mr John Calladine

On the motion of Miss Taylor, seconded by Mr Batty, it was

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

- (c) 11/00602/FUL – Demolition of existing dwelling and the erection of six dwellings with associated access, Bungalow, 4 Pipe Lane, Orton on the Hill – Mrs P Taylor

Notwithstanding the officer's recommendation that the application be permitted, Members felt that the proposed development had a detrimental impact on the character of the village, presented a danger to pedestrians, would increase car journeys due to lack of public transport and was not in a sustainable location. It was moved by Mr Batty and seconded by Mr Moore that the application be refused due to not being in accordance with policies BE7, BE19, NE5, BE1, PPS1, PPS17 and PPG13.

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

Mr Allen, Mr Batty, Mr Bill, Mr Boothby, Mrs Chastney, Mr Crooks, Mr Gould, Mrs Hall, Mr Mayne, Mr Moore, Mrs Smith, Mr Sutton, Miss Taylor, Mr Ward and Ms Witherford voted FOR the motion (15);

There were not votes against the motion.

Mr Bannister and Mrs Hodgkins abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED – the application be refused for the following reasons:

1. In the opinion of the Local Planning Authority the massing of the proposed dwellings would result in a scheme which dominates the surrounding area, which is considered to be harmful to the character and appearance of the surrounding area and to the detriment of the character and appearance of the Conservation Area. It is therefore considered contrary to Saved Policies BE1 and BE7 of the adopted Hinckley and Bosworth Local Plan, Policy 13 of the adopted Hinckley and Bosworth Core Strategy and Planning Policy Statement 5.
2. In the opinion of the Local Planning Authority the proposal results in a scheme which occupies a site which acts as a visual break between buildings which contributes to the special character of the area contrary to Saved Policy BE19 of the adopted Hinckley and Bosworth Local Plan
3. In the opinion of the Local Planning Authority the scheme fails to provide any definitive pedestrian improvements along Pipe Lane which would lead to increase dangers for pedestrians.
4. In the opinion of the Local Planning Authority the site is located in an un-sustainable location, remote from key services and public transport whereby journeys would be reliant upon private car journeys contrary to Planning Policy Statement 1, Planning Policy Statement 7 and Planning Policy Guidance 13.
5. In the opinion of the Local Planning Authority the applicant has failed to demonstrate that sufficient suitable affordable housing would be provided, contrary to central government guidance contained within Planning Policy Statement 3, Circular 5/05, Policies 15 and 16 of the adopted Hinckley and Bosworth Core Strategy and the Supplementary Planning Document on Affordable Housing.

(d) 11/00603/CON – Demolition of existing dwelling and the erection of six dwellings with associated access, Bungalow, 4 Pipe Lane, Orton on the Hill, Atherstone – Mrs P Taylor

Further to the refusal of permission with regard to application 11/00602/FUL (above), it was moved by Mr Bill, seconded by Miss Taylor and

RESOLVED – the application be refused for the following reasons:

In the opinion of the Local Planning Authority in the absence of an approved, acceptable scheme of re-development, the demolition of the dwelling in the Orton on the Hill would create an unsightly gap in the street frontage contrary to Saved Policy BE8 of the adopted Hinckley and Bosworth Local Plan.

- (e) 11/00764/FUL – Partial demolition of existing buildings to form a refurbished office and dwelling and the erection of one new dwelling, 128 Main Street, Markfield – Mr Sean Lyall

Further to the amended recommendation in the late items that the application be refused, it was moved by Mr Crooks, seconded by Mr Bannister and

RESOLVED – the application be refused for the reasons contained in the late items.

- (f) 11/00765/CON – Partial demolition of meeting hall to facilitate development, 128 Main Street, Markfield – Mr Sean Lyall

Further to the amended recommendation in the late items that conservation area consent be refused, it was moved by Mr Crooks, seconded by Mr Boothby and

RESOLVED – conservation area consent be refused for the reason contained in the late items.

At this juncture the meeting adjourned at 8.45pm and reconvened at 8.55pm.

- (g) 11/00793/GDOT – Prior notification of proposed development by telecommunications code system operators for telecommunications installation, Three Pots Road, Burbage – Vodaphone UK Ltd and Telefonica UK Ltd

Notwithstanding the officer's recommendation that the application be approved, Members expressed concern regarding the application. On the motion of Mr Mayne, seconded by Mr Bill, it was moved that the application be refused due to its height, insufficient screening, visual impact, detriment to the character of the area and lack of evidence regarding investigation of other sites and site sharing options.

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

Mr Allen, Mr Bannister, Mr Batty, Mr Bill, Mr Boothby, Mrs Chastney, Mr Crooks, Mr Gould, Mrs Hall, Mrs Hodgkins, Mr Mayne, Mr Moore, Mrs Smith, Mr Sutton, Miss Taylor, Mr Ward and Ms Witherford voted FOR the motion (17).

There were no votes against the motion and no abstentions. The motion was therefore declared CARRIED and it was

RESOLVED – the application be refused for the following reasons:

1. The proposal would, by reason of its height, insufficient screening and poor design, result in the proposed installation being unacceptably prominent within the streetscene and on the skyline resulting in an unsatisfactory visual impact, detrimental to the character and appearance of the area and neighbours amenity, contrary to the requirements of policy BE1 of the adopted Hinckley and Bosworth Local Plan.
2. Due to the lack of detail regarding alternative sites and site sharing options, the applicant has failed to demonstrate that he has adequately undertaken a satisfactory investigation of other sites which may be technically suitable and would have less impact on the surrounding area and streetscene, in accordance with the

At this juncture, having reached 9.20pm, it was agreed to continue the meeting to 10pm in accordance with Council Procedure Rule 9.

- (h) 11/00794/GDOT – Prior notification of proposed development by telecommunications code system operators for telecommunications installation, Rugby Road, Burbage – Vodaphone UK Ltd and Telefonica UK Ltd

On the motion of Mr Crooks, seconded by Miss Taylor it was

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

- (i) 11/00795/GDOT – Prior notification of proposed development by telecommunications code system operators for telecommunications installation, Hinckley Road, Burbage – Vodaphone UK Ltd and Telefonica UK Ltd

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

RESOLVED – the application be refused for the reasons contained within the officer's report.

Messrs Boothby, Inman and Ward left the meeting at 9.35pm.

- (j) 11/00719/OUT – Erection of four dwellings (outline – access and layout only), Land, St Marys Court, Barwell – Tony Morris & Sons

On the motion of Mr Gould, seconded by Miss Taylor, it was

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

- (k) 11/00797/FUL – Erection of dwelling and detached garage, Land rear of 69 Butt Lane, Hinckley – Mr & Mrs David Hughes

On the motion of Mr Crooks, seconded by Miss Taylor, it was

RESOLVED – the application be permitted subject to no new significant material objections being received prior to the expiry of the consultation period on 9 November 2011 and to the conditions contained in the officer's report.

- (l) 11/00788/DEEM – Alterations to shop fronts, 20-30 High Street, Barwell – Mr Alan Davies

It was

RESOLVED – the application be permitted subject to no new significant material objections being received prior to the expiry of the consultation period on 11 November 2011 and to the conditions contained in the officer's report.

245 APPEALS LODGED AND DETERMINED

A summary of appeals lodged and determined since the last meeting was submitted. It was

RESOLVED – the report be noted.

246 APPEALS PROGRESS

A schedule was submitted to the Committee indicating the stages that various appeals against planning decisions had reached. It was

RESOLVED – the report be noted.

247 DELEGATED DECISIONS ISSUED

Details of delegated decisions issued were presented to Members. It was

RESOLVED – the report be noted.

(The Meeting closed at 9.45 pm)