

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

6 MARCH 2012 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, Mrs T Chastney,
Mrs L Hodgkins, Mr JS Moore, Mr LJP O'Shea, Mr BE Sutton, Miss DM Taylor,
Mr R Ward, Ms BM Witherford, Mr MB Cartwright (for Mrs WA Hall) and Mrs H Smith (for
Mr CW Boothby)

In accordance with Council Procedure Rule 4.2 Councillors were also in attendance.

Officers in attendance: Valerie Bunting, Tracy Miller, Emma Page, Michael Rice, Simon Wood and Rebecca Owen

423 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillors Boothby, Crooks and Mrs Hall with the following substitutions authorised in accordance with Council Procedure Rule 4.1:

Mr Cartwright for Mrs Hall
Mrs Smith for Mr Boothby.

424 MINUTES

It was moved by Councillor Allen, seconded by Councillor Bannister and

RESOLVED – the minutes of the meeting held on 7 February 2012 be confirmed and signed by the Chairman.

425 DECLARATIONS OF INTEREST

Mr Bannister declared a personal interest in application 12/00075/FUL as he lived very near to the application site. He also stated that he had visited other Emmaus communities in Coventry and Cambridge. He wished it to be recorded that he was entering the meeting with an open mind on the matter.

426 DECISIONS DELEGATED AT PREVIOUS MEETING

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

- (i) 11/00901/EXT – it was reported that the decision had been issued on 13 February 2012;
- (ii) 11/00791/OUT – a meeting had been held with the applicant and an amended scheme had been received, comments returned to the applicant and a response was now awaited;
- (iii) 11/00308/FUL – it was reported that this application was awaiting a signature on the Section 106 Agreement and issues around the title deeds were yet to be resolved;

- (iv) 11/00882/FUL – it was reported that the decision had been issued on 7 February 2012.

427 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 Head of Planning.

- (a) 12/00075/FUL – Change of use from a hotel to an Emmaus Community, Elm Lea, Ashby Road, Hinckley – Emmaus Community Leicestershire & Rutland

Members gave consideration to the representations made by both the objector and the applicant and felt that discussions should be facilitated between the residents and the applicant to raise awareness of the project and give the applicant the opportunity to address concerns of residents. It was proposed that the application be deferred for this purpose. On the motion of Councillor Hodgkins, seconded by Councillor Bill, it was

RESOLVED – the application be deferred and a meeting between the applicant and residents be facilitated.

- (b) 11/00815/FUL – Use of land as a residential caravan site for four gypsy families with 8 caravans including laying and additional hardstanding, Pinehollow Barn, Stoke Lane, Higham on the Hill – Mr John Price

Notwithstanding the officer's recommendation that the application be approved, Members felt that this proposal was not in accordance with Policy 18 of the Core Strategy and the proposed use would constitute over-development of the site, would be visually intrusive and not assimilated into the countryside and there wasn't space for sufficient landscaping on the site to mitigate this, wasn't appropriate to the scale of the nearest settlement, wasn't near to local facilities, would pose health and safety risks for residents, there was no amenity building, didn't meet the guidelines set out in the Good Practice Design Guide for Gypsy & Traveller Sites and hadn't been allocated as a preferred site. Consideration was given to a temporary permission in line with Circular 01/06 but Members considered a temporary permission would not be viable in this instance. It was therefore moved by Councillor Batty and seconded by Councillor O'Shea that the application be refused for these reasons.

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

Councillors Allen, Bannister, Batty, Bill, Cartwright, Chastney, Hodgkins, Mayne, Moore, O'Shea, Smith, Sutton, Taylor, Ward and Witherford voted FOR the motion (15).

Mr Gould 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 proposed development, by virtue of its distance from local services and facilities, would be contrary to Policy 18 of the adopted Hinckley and Bosworth Core Strategy.

2. In the opinion of the Local Planning Authority, the proposed development would be visually intrusive, constitute over-development of the site and would be out of keeping with the character of the area. It would not be capable of sympathetic assimilation into its surroundings and would be contrary to Policy 18 of the adopted Hinckley and Bosworth Core Strategy.
3. In the opinion of the Local Planning Authority, the development, by virtue of the number of pitches proposed, would not be proportionate with the scale of the nearest settlement Higham on the Hill, its local services and infrastructure and would therefore be contrary to Policy 18 of the adopted Hinckley and Bosworth Core Strategy.
4. In the opinion of the Local Planning Authority, the proposed development is not considered to meet the standards set out in the document, Designing Gypsy and Traveller Sites: Good Practice Guide and would therefore be contrary to Policy 18 of the adopted Hinckley and Bosworth Core Strategy.
5. In the opinion of the Local Planning Authority, the proposed development is not considered to provide a safe and healthy environment for residents and would therefore be contrary to Policy 18 of the adopted Hinckley and Bosworth Core Strategy.

- (c) 11/00915/FUL – Change of use of residential to mixed use of premises to provide accommodation and teaching facilities, extensions and alterations, alterations to access and provision of associated car parking, Stretton House, Watling Street, Burbage – Sachkhand Nanak Dham

A late item was reported which consisted of an email from a Member objecting to the application on grounds of increase of traffic on an already busy road and impact upon the amenity of neighbours.

Members highlighted the dangerous nature of the A5, particularly around the 'Stretton Bends', and also referred to the imminent increase in traffic due to development further along the A5. Notwithstanding the officer's recommendation that the application be permitted, it was moved by Councillor Moore and seconded by Councillor Bill that the application should be refused on the grounds of being detrimental to highway safety.

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

Councillors Allen, Bannister, Batty, Bill, Cartwright, Chastney, Gould, Hodgkins, Mayne, Moore, O'Shea, Smith, Sutton, Taylor, Ward and Witherford voted FOR the motion (16).

The MOTION was therefore declared CARRIED. It was unanimously

RESOLVED – the application be refused for the following reasons:

In the opinion of the local planning authority the proposed development, if permitted, would result in an intensification of use of the existing access and a material increase in traffic turning onto or off the A5 Watling Street Trunk Road in an area remote from main development where traffic volumes and speeds are generally high to the detriment of highway safety. The proposed development is therefore contrary to policies NE5

and T5 of the adopted Hinckley and Bosworth Local Plan and Planning Policy Guidance 13: Transport.

Councillors Chastney and Mayne left the meeting at 8.50pm.

- (d) 12/00008/LBC – Formation of a meeting room and partitioning two open plan offices, Atkins Building, Lower Bond Street, Hinckley – Mr Shaun Curtis

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

RESOLVED – powers be delegated to the Head of Planning to refer the application to the Secretary of State following the expiry of the consultation period on 28 February 2012 and resolution of matters that might arise, in accordance with Regulation 13 of the Planning (Listed Building and Conservation Areas) Regulations 1990.

Councillor Chastney returned at 8.52pm.

- (e) 12/00010/FUL – Erection of agricultural building, land north of Anstey Lane, Groby – Mr S Wilshire

It moved moved by Councillor Batty, seconded by Councillor Cartwright and

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

Councillor Mayne returned at 8.55pm.

- (f) 11/00895/TEMP – Siting of temporary occupational dwelling, land off West End, Barton in the Beans – Mrs Evelyne Shouls

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

428 AFFORDABLE RENT

Members received a report which provided an update on the use of affordable rent as part of the affordable housing provision in the Borough, informed Members of the emerging evidence base for affordable rent and set the approach for negotiating affordable housing with developers. Members were recommended to endorse the approach proposed prior to the decision by Council on 17 April.

Discussion ensued on the relationship between developers and RSLs, the preference for affordable rent properties, viability of providing affordable housing and the differences between Hinckley and the rural areas within the Borough.

On the motion of Councillor Mayne, seconded by Councillor O'Shea it was

RESOLVED – consideration be given to the proportion of affordable rent within a housing development on a site by site basis taking into account:

- (i) the non-discretionary use of affordable rent where grant under the Affordable Homes Programme 2011-15 is part of the financial package on site;
- (ii) the need for affordable rent set out in the evidence base from the project to establish the need for affordable rent;

- (iii) the contribution affordable rent makes to increasing the viability of a site;
- (iv) the requirement for registered providers to meet the agreed package of affordable rent units in their contract with the Homes and Communities Agency;
- (v) the use of affordable rent in the circumstances outlined in the report as part of the options for the provision of social housing be endorsed.

429 11/00360/OUT MIRA TECHNOLOGY PARK

Members were updated on the current position of the above application following the recommendation that it be approved at the meeting of the Planning Committee on 15 November 2011.

RESOLVED – subject to the receipt of a signed agreement under Section 106 of the Town and Country Planning Act 1990 and Section III of the Local Government Act 1972 towards the off site cycle network improvements (Weddington Cycle Path), the Deputy Chief Executive (Community Direction) be granted delegated powers subject to the conditions previously agreed and as amended in the late items to issue the decision as instructed thereafter.

430 APPEALS LODGED AND DETERMINED

Members received an update on appeals lodged and determined since the last meeting. Attention was drawn to the determination with regard to application 11/00435/EXT which suggested that in the Inspector's opinion bringing forward development was more important than considering viability issues.

RESOLVED – the report be noted.

431 APPEALS PROGRESS

Members were informed of the progress of various appeals. It was

RESOLVED – the report be noted.

432 DELEGATED DECISIONS ISSUED

Members were informed of delegated decisions issued. It was

RESOLVED – the report be noted.

(The Meeting closed at 9.22 pm)

CHAIRMAN