

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

3 APRIL 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, Mr CW Boothby,  
Mrs T Chastney, Mr WJ Crooks, Mrs WA Hall, Mrs L Hodgkins, Mr DW Inman (for Miss  
DM Taylor), Mr JS Moore, Mr LJP O'Shea, Mr BE Sutton, Mr R Ward and  
Ms BM Witherford

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

458 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillor Taylor with Councillor Inman substituting in accordance with Council Procedure Rule 4.1.

459 MINUTES

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

RESOLVED – the minutes of the meeting on 6 March be confirmed and signed by the Chairman.

460 ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

Members were informed that an additional item on the National Planning Policy Framework would be taken at the end of the agenda. This was deemed urgent by virtue of the fact that the information had been published very recently.

461 DECLARATIONS OF INTEREST

Councillor Mrs Hall declared a personal interest in application 12/00114/ADV.

Councillor Mayne declared a personal and prejudicial interest in application 12/00154/FUL as he knew the landowner.

Councillor Ward declared a personal interest in application 12/00099/FUL.

462 DECISIONS DELEGATED AT PREVIOUS MEETING

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

- (i) 12/00075/FUL – it was reported that the public meeting requested at the previous meeting had taken place and the application would come to the Planning Committee on 1 May;
- (ii) 12/00008/LBC – it was reported that the application had been sent to the Secretary of State;
- (iii) 11/00360/OUT – the decision had been issued.

463 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.

Having declared a prejudicial interest in the following application, Councillor Mayne left the meeting.

- (a) 12/00154/FUL – Erection of 52 dwellings with garages and associated infrastructure, Land south of 26 to 28 Britannia Road, Burbage – Mr John Deakin

Tim Leader, a Barrister from Clerksroom Chambers, was in attendance for this item to outline the current position and matters for consideration regarding this item in light of the National Planning Policy Framework.

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

RESOLVED – subject to no significant material objections being received prior to the expiry of the consultation period on 5 April 2012, the completion of 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 affordable housing and financial contributions towards public play and open space facilities, education facilities, civic amenity facilities, library facilities and police facilities, the Head of Planning be granted delegated powers to grant planning permission subject to the conditions contained in the officer's report and late items. Failure to complete the said agreement by 18 May 2012 might result in the application being refused.

Councillor Mayne returned to the meeting at this juncture.

- (b) 11/01023/REM – Erection of 184 dwellings (scale, appearance, layout and landscaping), land adjacent to Hinckley Golf Club, Leicester Road, Hinckley – Mr John Deakin

Members expressed the need for a fence along the boundaries of 15, 17 & 19 Leicester Road and requested that it run the entire length of the boundaries with these properties. It was **MOVED** by Councillor Boothby and seconded by Councillor O'Shea that a condition be added that a boundary scheme be agreed with the Borough Council as Local Planning Authority prior to commencement. This motion was supported.

Concern was also expressed regarding the grouping of affordable housing and it was suggested that these properties be more evenly distributed throughout the development. It was **MOVED** by Councillor Moore and seconded by Councillor Batty that the decision be delegated to the Head of Planning following receipt of a suitable scheme for distribution of affordable housing. This motion was supported.

It was therefore

RESOLVED – the Head of Planning be granted delegated powers to grant planning permission subject to receipt of a suitable scheme for the layout of affordable housing, an additional condition regarding submission of a boundary scheme and the conditions contained in the officer's report and

late items including the delegation to amend condition 2 being granted to the Head of Planning.

- (c) 12/00067/FUL – Erection of 2 industrial buildings (B1, B2, B8), Unit C, Maple Drive, Hinckley – Mr Jeffrey Penman

On the motion of Councillor O’Shea, seconded by Councillor Sutton, it was

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

- (d) 12/00024/FUL – Change of use of land for the provision of four additional gypsy and traveller pitches, Whitegate Stables Caravan Park, Copt Oak Road, Copt Oak, Markfield – Mrs Sue Smith

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

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

- (e) 12/00099/FUL – Change of use to farm shop (retrospective), Spinney Bank Farm, Higham Lane, Stoke Golding – Mr Kevin Thorpe

After the introduction of this application Councillor Ward sought advice on whether he could remain in the meeting. Following advice he felt that whilst he lived near the site the application would not affect him more than any other resident and nor did he have a close association with the applicant; he therefore remained in the meeting.

At 9.20pm there was a brief break in the proceedings due to disturbance in the public gallery.

Having reached 9.27pm it was moved by Councillor Crooks, seconded by Councillor Witherford and

RESOLVED – the meeting be extended for thirty minutes.

Councillor Boothby left the meeting at this point.

Whilst Members were not in objection to the application, they felt that in order to satisfy their concerns, a three-year temporary consent should be given. It was therefore moved by Councillor Ward, seconded by Councillor Crooks and

RESOLVED – temporary planning permission be granted for three years subject to conditions contained in the officer’s report and late items.

Councillor Boothby returned to the meeting at 9.37pm.

- (e) 12/00114/ADV – Erection of one non illuminated advertisement, Moat House, New Road, Burbage – Adept Care Ltd

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

RESOLVED – the application be refused for the reason contained within the late items.

- (f) 12/00124/FUL – Demolition of village shop and erection of four dwellings with associated parking, 19 Main Road, Sheepy Magna, Atherstone – Ms Danielle Sullivan

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

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

- (g) 12/00184/FUL – Erection of a temporary building, Carterpillar (UK) Ltd, Peckleton Lane, Desford – Stephen Pritchett

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

RESOLVED – the Head of Planning be granted delegated powers to grant planning permission subject to the submission of satisfactory ventilation unit details and no new significant material planning objections being received before the expiry of the consultation period on 5 April 2012 and subject to the conditions contained in the officer's report.

#### 464 APPEALS LODGED AND DETERMINED

Members received an update on appeals lodged and determined since the last meeting. It was

RESOLVED – the report be noted.

#### 465 APPEALS PROGRESS

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

RESOLVED – the report be noted.

#### 466 DELEGATED DECISIONS ISSUED

Members were informed of delegated decisions issued since the last meeting. It was

RESOLVED – the report be noted.

Councillor Bannister left the meeting at 9.45pm.

#### 467 URGENT ITEM: NPPF - OUTSTANDING DECISIONS

Members received a report which sought authority for the Head of Planning to take certain decisions following the coming into force of the National Planning Police Framework on 27 March 2012. It was

RESOLVED – the Head of Planning be authorised to consider further the planning applications set out in section 3 of the report against the policies in the framework and:

- (i) unless he considered that the decision would be inconsistent with the policies in the Framework such as to justify a reconsideration of the application by the committee, that he be authorised to agree any section 106 agreement and/or issue a decision notice in respect of such applications; but

- (ii) if he did consider that the decision would be inconsistent so as to justify a reconsideration, that he bring the application back to a future meeting of the committee.

(The Meeting closed at 9.49 pm)

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CHAIRMAN