

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

24 JULY 2012 AT 6.30 PM

PRESENT: Mr R Mayne - Chairman
Miss DM Taylor – Vice-Chairman
Mr RG Allen, Mr PR Batty, Mr CW Boothby, Mr MB Cartwright (for Mr JG Bannister),
Mr WJ Crooks, Mrs WA Hall, Mrs L Hodgkins, Mr MS Hulbert, Mr KWP Lynch,
Mr JS Moore, Mr LJP O'Shea, Mrs H Smith (for Mrs T Chastney), Mr BE Sutton,
Mr R Ward and Ms BM Witherford

In accordance with Council Procedure Rule 4.2 Councillors Mr SL Bray, Mr K Morrell and Mr MT Mullaney were also in attendance.

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

95 APOLOGIES AND SUBSTITUTIONS

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

Councillor Cartwright for Councillor Bannister;
Councillor Smith for Councillor Chastney.

96 MINUTES

It was stated that the resolution under minute 78 (b) (11/00988/OUT – rear of 169 Main Street, Stanton Under Bardon) should read:

“RESOLVED – application 11/00988/OUT be approved subject to the execution of an Agreement under Section 106 of the Town and Country Planning Act 1990 and the following conditions:”...

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

RESOLVED – the minutes of the meeting held on 26 June 2012 be confirmed subject to the abovementioned amendment and signed by the Chairman.

97 DECLARATIONS OF INTEREST

No interests were declared at this stage.

98 DECISIONS DELEGATED AT PREVIOUS MEETING

The Development Control Manager reported on the following decisions which had been delegated at the previous meeting:

- (a) 12/00341/FUL – it was reported that the S106 agreement was waiting to be signed.
- (b) 12/00402/FUL – it was reported that the decision had been issued on 29 June 2012.

- (c) 12/00219/OUT – it was reported that the Unilateral Undertaking was awaiting signature.
- (d) 12/00229/FUL – it was reported that the decision had been issued on 17 July 2012.

99 TOWN AND 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) 11/00634/COU – Change of use of land to the siting of eight mobile homes for gypsies, The Paddock, Watling Street, Higham on the Hill – Mr J Winter

It was reported that this application had been withdrawn from the agenda.

- (b) 12/00250/FUL – Erection of 91 dwellings with garages, parking spaces, open space, landscaping and associated infrastructure, Land east of Groby Village Cemetery, Groby Road, Ratby – Bloor Homes Limited, East Midlands

Whilst in support of the recommendation that the application be refused, Members felt that in addition to the recommended reason for refusal the development was not sustainable as it failed to meet the requirements of Core Strategy Policy 8 due to the lack of GP facilities and lack of future education provision.

Councillor O'Shea, seconded by Councillor Batty, proposed that the abovementioned reasons for refusal be added. The Development Control Manager requested that voting on this amendment be recorded. The vote was taken as follows:

Councillors Allen, Batty, Boothby, Cartwright, Crooks, Hodgkins, Lynch, Moore, O'Shea, Smith, Sutton and Ward voted FOR the amendment (12);

Councillors A Hall, Hulbert, Mayne, Taylor and Witherford voted AGAINST the amendment (5).

The amendment was therefore declared CARRIED. It was then

RESOLVED – the application be refused for the reasons contained in the officer's report and the following additional reasons:

In the opinion of the Local Planning Authority the proposed development is contrary to the objectives of Policy 8 of the Core Strategy which seeks to support the local services and the improvement of GP facilities in Ratby and Groby to provide for the increase in population, and contrary to Paragraph 72 of the NPPF which seeks to ensure that a sufficient choice of school places is available to meet the needs of existing and new communities. Paragraph 72 of the NPPF requires local planning authorities to give great weight to the need to create, expand or alter schools. The existing schools and health care facilities have insufficient capacity to expand and the local planning authority is not satisfied that the developer contributions can mitigate against the impact of development. Therefore the proposals are not considered to be sustainable in accordance with the principles of the NPPF and are considered contrary to Policy 8 of the Core Strategy and Paragraph 72 of the NPPF.

Councillor O'Shea left the meeting at 7.25pm.

- (c) 12/00127/FUL – Erection of 50 dwellings, 6 apartments and 4 retail units with associated access, service infrastructure and open space, land south of The Maynard, Station Road, Bagworth – Persimmon Homes North Midlands & Omnivate Ltd

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

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 affordable housing and financial contributions towards education, play and open space and travel packs, 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.

- (d) 12/00100/FUL – erection of 11 flats and 1 dwelling, land adjacent 7 London Road, Hinckley – Lighthouse Property Ltd

Notwithstanding the officer's recommendation that the application be approved, Members felt that the application constituted over-development and had insufficient parking provision. It was moved by Councillor Crooks, seconded by Councillor Witherford and

RESOLVED – the application be refused for the following reasons:

In the opinion of the local planning authority, the proposed development has inadequate car parking provision that would result in an increase in on street parking and a significant danger to users of the highway and therefore constitutes over-development of the site impacting upon neighbouring amenity, contrary to the objectives of the NPPF, paragraphs 17 and 32, Policies T5 and BE1 of the Hinckley and Bosworth Local Plan.

Councillor Batty left the meeting at 8.15pm.

- (e) 12/00371/FUL – Substitution of house types to plots 44-52 & 117-132 referring to reserved matters approval reference 11/00082/REM, North Warwickshire and Hinckley College, London Road, Hinckley – Mr Martyn Pask

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

RESOLVED – subject to an Agreement under Section 106A of the Town and Country Planning Act 1990 to vary the original agreement and secure the obligations contained therein, the Head of Planning be granted delegated powers to grant planning permission subject to the conditions contained in the officer's report. Failure to complete the said agreement might result in the application being refused.

Councillor Batty returned at 8.18pm.

- (f) 12/00370/FUL – Extension to production unit, FP McCann, Brascote Lane, Cadeby – FP McCann Ltd

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

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

- (g) 12/00475/CONDIT – Variation of condition 4 of planning permission 10/00908/COU to vary opening hours to 07:30 – 23:00, The Pantry, 102 Rugby Road, Hinckley – Mr H Choudhury

It was moved by Councillor Crooks, seconded by Councillor Lynch and

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

- (h) 12/00489/GDOT – installation of a 15m monopole and Vulcan cabinet and associated ancillary equipment, Street Record, Tudor Road, Hinckley – Vodafone Ltd

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

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

- (i) 12/00526/FUL – demolition of village shop and erection of 3 dwellings with associated parking, 19 Main Road, Sheepy Magna – Ms Danielle Sullivan

Whilst generally in support of the recommendation, Members asked that a condition be added requiring that the obscure glazed windows open at the top only. This was agreed.

Concern was expressed regarding the problems with flooding in the area and it was requested that a letter be sent to Leicestershire County Council, the Environment Agency and Severn Trent Water to reiterate the problems, particularly the raw sewage flowing through the village at times of high rainfall.

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

RESOLVED –

- (i) subject to 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 at Brookside Place Recreational Facility and to no significant material objections being received prior to the expiry of the consultation period on 1 August 2012, the Head of Planning be granted delegated powers to grant planning permission subject to the conditions contained in the officer's report, late items and the abovementioned additional conditions. Failure to complete the said agreement by 15 August 2012 might result in the application being refused;
- (ii) a strong letter be sent to Leicestershire County Council, the Environment Agency and Severn Trent Water to emphasise the flooding problems in the village.
- (j) 12/000277/LBC – Erection of 4 projecting advertisement signs, Atkins Building, Lower Bond Street, Hinckley – Rebecca Wilbur

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

RESOLVED – the Head of Planning be granted delegated powers to refer the application to the Secretary of State following the expiry of the consultation period on 26 July 2012 and resolution of any matters that may arise in accordance with regulation 13 of the Planning (Listed Building and Conservation Areas) for approval subject to the conditions contained in the officer's report and late items.

100 APPEALS LODGED AND DETERMINED

Members received an update on appeals lodged and determined since the last meeting. It was reported that two new appeals had been received, one had been determined, and the application determined by Rugby Borough Council for Stretton Croft had been sent to the Secretary of State.

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

RESOLVED – the report be noted.

Councillor Boothby left the meeting at 8.58pm.

101 APPEALS PROGRESS

Members were informed of the progress of various appeals. It was moved by Councillor Crooks, seconded by Councillor Hulbert and

RESOLVED – the report be noted.

102 DELEGATED DECISIONS ISSUED

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

RESOLVED – the report be noted.

(The Meeting closed at 9.00 pm)

CHAIRMAN