

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

18 DECEMBER 2012 AT 7.00 PM

PRESENT: Mr R Mayne - Chairman  
Miss DM Taylor – Vice-Chairman  
Mr RG Allen, Mr JG Bannister, Mr PR Batty, 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

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

307 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillor Chastney, with the substitution of Councillor Smith authorised in accordance with Council Procedure Rule 4.3.

308 MINUTES

It was moved by Councillor Witherford, seconded by Councillor Hodgkins and

RESOLVED – the minutes of the meeting held on 20 November 2012 be confirmed and signed by the Chairman.

With regard to the minutes of the meeting held on 23 October, which had been deferred at the previous meeting, Members debated and sought officer advice on the best approach to address concerns raised by the applicant of one of the items, and Members of the Committee.

It was reported that a meeting had been held with the applicant and his solicitor and it was understood that the applicant would submit a further application seeking to amend conditions set out in the decision notice, however he had since indicated that he would not be submitting a further application.

Members requested that every attempt be made to bring the application to the next meeting of the Committee.

After further debate it was moved by Councillor Bannister, seconded by Councillor Sutton and

RESOLVED –

- (i) the minutes of the meeting held on 23 October 2012 be confirmed as a correct record and signed by the Chairman;
- (ii) the applicant be asked to submit an application for amendment of conditions which would be considered at the next meeting if possible.

309 DECLARATIONS OF INTEREST

No interests were declared at this stage.

310 DECISIONS DELEGATED AT PREVIOUS MEETING

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

- 12/00882/CONDIT – it was reported that the decision had been issued on 3 December 2012.

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

- (a) 12/00482/OUT – Erection of 21 dwellings (outline – access only), Land at Hilary Bevins Close, Higham on the Hill – George Stew Ltd

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

RESOLVED – subject to the execution of an Agreement under Section 106 of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972 towards the provision of affordable housing, the provision and maintenance of open space facilities, education and travel contributions and footpath improvements, the Head of Planning be granted powers to issue outline consent, subject to the conditions contained in the officer's report. Failure to complete the said agreement within 3 months of the date of committee might result in the application being refused.

- (b) 12/00892/HOU – Extension and alterations to dwelling, Bungalow Farm, Ashby Road, Stapleton – Mr & Mrs AJ Ward

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

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

- (c) 12/00907/HOU – Extension and alterations to dwelling, 29 Cunnery Close, Barlestone – Mr Paul Cerone

Notwithstanding the officer's recommendation that the application be permitted, some Members felt that the proposed extension was not acceptable as it would add more than 50% width to the building and it was too close to the neighbouring property and would not respect the character of the area. It was moved by Councillor Crooks and seconded by Councillor Ward 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 Crooks, A Hall, Hodgkins, Lynch, Moore, Taylor, Ward and Witherford voted FOR the motion (8);

Councillors Allen, Smith and Sutton voted AGAINST the motion (3);

Councillors Bannister, Batty, Hulbert, Mayne and O'Shea abstained from voting.

The motion was declared CARRIED. It was therefore

RESOLVED – the application be refused on the grounds of width and proximity to boundary and neighbouring property.

- (d) 12/00900/COU – Change of use for flat 2 to accommodate treatment rooms, 1B Newtown Linford Lane, Groby – Miss Julie Hogben

It was moved by Councillor Taylor and seconded by Councillor Bannister that the application be permitted as per the officer's recommendation, but with an additional condition to limit the hours of use. Upon being put to the vote, the MOTION was declared LOST.

Councillor Batty, seconded by Councillor O'Shea, moved that the application be refused due to the impact on residential amenity and the lack of local parking provision. The Head of Planning requested that voting on the application be recorded. The vote was taken as follows:

Councillors Allen, Batty, Hodgkins, Moore, O'Shea, Smith and Ward voted FOR the motion (7);

Councillors Bannister, A Hall, Hulbert, Lynch, Sutton and Taylor voted AGAINST the motion (6);

Councillors Crooks, Mayne and Witherford abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED – the application be refused on grounds of impact on residential amenity and lack of local parking provision.

### 312 EXTENDING PERMITTED DEVELOPMENT RIGHTS FOR HOMEOWNERS AND BUSINESSES

Members were advised of a current consultation regarding proposed changes in relation to the extension of permitted development rights for homeowners and businesses.

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

RESOLVED –

- (i) the content of the report be noted;
- (ii) the responses to the questions be agreed.

### 313 PLANNING PERFORMANCE AND THE PLANNING GUARANTEE

Members were presented with the proposed consultation response regarding changes in respect of the performance of local planning authorities in the determination of planning applications. It was moved by Councillor Crooks, seconded by Councillor Witherford and

RESOLVED –

- (i) the content of the report be noted;
- (ii) the responses to the questions be agreed.

314 APPEALS LODGED AND DETERMINED

Members were informed of appeals lodged and determined since the previous report. It was

RESOLVED – the report be noted.

315 APPEALS PROGRESS

Members were updated on the progress of various appeals. It was

RESOLVED – the report be noted.

316 DELEGATED DECISIONS ISSUED

The Committee received a report which informed of applications which had been determined under delegated powers. It was

RESOLVED – the report be noted.

(The Meeting closed at 9.14 pm)

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CHAIRMAN