

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

20 NOVEMBER 2012 AT 6.30 PM

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

Officers in attendance: James Hicks, Michael Rice, Barry Whirrity and Simon Wood

275 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillor Boothby.

276 MINUTES

With regard to application 12/00669/FUL (minute 211(e) refers), it was noted that the first line of the text should read "notwithstanding the officer's recommendation that the application be refused". This amendment was agreed.

With regard to application 12/00761/COU (minute 211(h) refers), Members expressed concern regarding the exact conditions that were imposed. Officers agreed to look again and bring the minutes back to the next meeting for approval.

RESOLVED – signing of the minutes of the meeting held on 23 October 2012 be deferred to the next meeting.

277 ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES

It was reported that an urgent item which would be taken in private session at the end of the agenda had been accepted by the Chairman.

278 DECLARATIONS OF INTEREST

No interests were declared.

279 DECISIONS DELEGATED AT PREVIOUS MEETING

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

- (a) 12/00692/FUL – the decision had been issued on 1 November;
- (b) 12/00543/FUL – the decision had been issued on 2 November;
- (c) 12/00544/CON – the decision had been issued on 2 November;
- (d) 12/00379/OUT – the decision had been issued;
- (e) 12/00669/FUL – the decision had been issued on 1 November;

- (f) 12/00761/COU – the decision had been issued on 8 November, however this would be reviewed in light of Members' queries.

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

- (a) 12/00810/FUL – Erection of one wind turbine, Elms Farm, Atherstone Road, Appleby Parva – Mr Henry Egerton

Notwithstanding the officer's recommendation that the application be approved, it was felt that the proposal would be detrimental to visual amenity and contrary to policy BE27. On the motion of Councillor Ward, seconded by Councillor Batty, it was **MOVED** that the application be refused. The Head of Planning requested that voting on this motion be recorded.

The vote was taken as follows:

Councillors Allen, Batty, Chastney, Crooks, Hall, Lynch, Moore, O'Shea, Taylor and Ward voted **FOR** the motion (10);

Councillors Bannister, Hodgkins, Hulbert, Sutton and Witherford voted **AGAINST** the motion (5);

Councillor Mayne abstained from voting.

The **MOTION** was therefore declared **CARRIED** and it was

RESOLVED – the application be refused for the abovementioned reasons:

- (b) 12/00825/FUL – Erection of a detached dwelling house, garage and associated development, Land off Merrylees Road, Newbold Heath – Mr S Goodman

Some Members felt that this application should be approved due to the fact that it had previously been in residential use, although officers explained that this use was not attached to the land. It was **MOVED** by Councillor Crooks and seconded by Councillor Sutton that the application be approved. The Head of Planning requested that voting on this motion be recorded.

The vote was taken as follows:

Councillors Chastney, Crooks, Hulbert and Sutton voted **FOR** the motion (4);

Councillors Allen, Bannister, Batty, Hall, Hodgkins, Lynch, Moore, O'Shea and Witherford voted **AGAINST** the motion (9);

Councillors Mayne, Taylor and Ward abstained from voting.

The **MOTION** was therefore declared **LOST**.

It was moved by Councillor Batty and seconded by Councillor O'Shea that the application be refused in line with the officer's recommendation. It was

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

- (c) 12/00878/CONDIT – Variation of condition 1 of planning permission 03/00247/CONDIT to change Monday to Saturday opening hours to between 7am and 10pm, Asda, Barwell Lane, Hinckley – Asda Stores Ltd

Notwithstanding the officer's recommendation that the application be approved, it was **MOVED** by Councillor Bannister and seconded by Councillor Hodgkins that the application be refused due to the impact on neighbours in this residential area. The Head of Planning requested that voting on the motion be recorded.

The vote was taken as follows:

Councillors Allen, Bannister, Batty, Chastney, Crooks, Hall, Hodgkins, Hulbert, Lynch, Mayne, Moore, O'Shea, Sutton, Taylor, Ward and Witherford voted FOR the motion (16);

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

RESOLVED – the application be refused for the abovementioned reasons.

- (d) 12/00619/FUL – Change of use and cladding of horticultural building for storage, Woodlands Garden Centre, Ashby Road, Stapleton – Woodlands Nurseries

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

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

(Councillor Batty was absent during voting on this application).

- (e) 12/00815/DEEM – Erection of garages on site of former garages, Langdale Road, Hinckley – Mr Robert Vaughan

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

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

(Councillor Hulbert was absent during voting on this application).

- (f) 12/00882/CONDIT – Variation of conditions 2 of planning permission 10/00847/FUL to include minor changes to approved plans and elevations, Flude House, Rugby Road, Hinckley – Mr Tom Sewell

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

RESOLVED – subject to no significant material objections being received prior to the expiry of the consultation period on 22 November and 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 and maintenance of public play and open space facilities, education facilities and affordable housing requirements by 15 January 2013, the Head of Planning be granted delegated powers to issue full planning permission subject to the conditions contained in the officer's report. Failure to do so by 15 January 2013 might result in the application being refused.

281 PROPOSED CONSERVATION AREA FOR THE VILLAGE OF BILSTONE

A report on the designation of a conservation area in Bilstone was presented to the Committee. On the motion of Councillor O'Shea, seconded by Councillor Crooks, it was

RESOLVED – the officer responses to the public consultation be agreed and the area shown on the plan be designated as a conservation area.

282 THE BOROUGH OF HINCKLEY AND BOSWORTH (LAND AT THE DOCTORS SURGERY, BACK LAND, MARKET BOSWORTH) TREE PRESERVATION ORDER 2012

Members gave consideration to the confirmation of the above Tree Preservation Order. Most Members felt that the tree was not endangered, not attractive and did not have amenity value and felt that the space could be better used for parking. Councillor Chastney, seconded by Councillor Allen, moved that the application for an Order be refused. It was

RESOLVED – the Tree Preservation Order be not confirmed.

283 APPEALS LODGED AND DETERMINED

Members were updated on appeal lodged and determined since the last meeting. On the motion of Councillor O'Shea, seconded by Councillor Crooks, it was

RESOLVED – the report be noted.

284 APPEALS PROGRESS

Members were informed of the progress of several appeals. On the motion of Councillor Crooks, seconded by Councillor O'Shea, it was

RESOLVED – the report be noted.

285 DELEGATED DECISIONS ISSUED

Members were informed of delegated decisions issued. On the motion of Councillor O'Shea, seconded by Councillor Crooks, it was

RESOLVED – the report be noted.

286 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

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

RESOLVED – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 3 and 10 of Part I of Schedule 12A of that Act.

287 AFFORDABLE HOUSING - SKETCHLEY BROOK DEVELOPMENT

Following a brief adjournment at 8.52pm for seven minutes to allow time for Members to fully read the report which had been accepted as an urgent item due to only have

received advice the previous day, consideration was given to the report circulated. On the motion of Councillor Lynch, seconded by Councillor O'Shea, it was

RESOLVED – the recommendations contained in the officer's report be supported.

(The Meeting closed at 9.21 pm)

CHAIRMAN