

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

21 AUGUST 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 WJ Crooks, Mrs WA Hall,
Mrs L Hodgkins, Mr MS Hulbert, Mr DW Inman (for Mr JG Bannister), Mr KWP Lynch,
Mr JS Moore, Mr K Morrell (for Mrs T Chastney), Mrs H Smith (for Mr LJP O'Shea),
Mr BE Sutton, Mr R Ward and Ms BM Witherford

In accordance with Council Procedure Rule 4.2 Councillors Mr Bessant, Mr DC Bill, Mr SL Bray, Mr MR Lay and Mrs S Sprason were also in attendance.

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

112 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillors Bannister, Chastney and O'Shea and the following substitutions authorised in accordance with Council Procedure Rule 4.1:

Councillor Inman for Councillor Bannister
Councillor Morrell for Councillor Chastney
Councillor Smith for Councillor O'Shea.

113 MINUTES

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

RESOLVED - The minutes of the meeting held on 24 July 2012 were confirmed and signed by the Chairman.

114 DECLARATIONS OF INTEREST

Councillor Batty declared a pecuniary interest in application 12/00380/OUT as he owned a property near to the site. Councillor Moore declared a non-pecuniary interest in 12/00507/FUL as his wife was a member of the church submitting the application.

115 DECISIONS DELEGATED AT PREVIOUS MEETING

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

- (a) 12/00127/FUL – it was reported that the Section 106 agreement was still subject to negotiation;
- (b) 12/00371/FUL – it was reported that the decision had been issued on 6 August;
- (c) 12/00526/FUL – the decision had been issued on 3 August;
- (d) 12/00277/LBC – the application had now been referred to the Secretary of State.

116 12/00555/CONDIT - FLUDE HOUSE

Members received a report which sought approval of the application to vary the existing legal agreement. On the motion of Councillor Ward, seconded by Councillor Allen, it was

RESOLVED – subject to an agreement under Sections 106 and 106A of the Town and Country Planning Act 1990 and Section 111 of the Local Government Act 1972 to link the new permission to the original permission and Section 106 legal agreement, the Deputy Chief Executive (Community Direction) be granted delegated powers to grant planning permission subject to the conditions contained in the officer's report. Failure to complete the said agreement by 1 October 2012 might result in the application being refused.

117 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) 12/00388/COU – Change of use to hand car wash, Bubble Boyz Car Wash, Watling Street, Hinckley – Mr R Sokhi

It was reported that this application had been deferred to the next meeting in order to resolve drainage issues with Severn Trent Water.

- (b) 12/00313/CONDIT – Variation of condition 16 of planning application 10/00332/FUL for the erection of warehouse (class B8 use), Timken Desford Steel Limited, Desford Lane, Kirby Muxloe – Crown Crest (Leicester) PLC

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

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

- (c) 12/00444/CONDIT – Variation of condition 12 of planning permission 08/00187/COU for change of use of existing factory and warehouse to warehouse and distribution, Timken Desford Steel Limited, Desford Lane, Kirby Muxloe – Crown Crest (Leicester) PLC

Whilst generally in support of the officer's recommendation, Members felt that a liaison group to include HBBC, Leicestershire County Council, Ward Members, the relevant Parish Councils and users of the site be set up to monitor the situation and attempt to address residents' concerns.

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

RESOLVED –

- (i) the application be permitted subject to the conditions contained in the officer's report;
- (ii) a liaison group be set up, facilitated by HBBC.

Councillors Bessant and Sprason left the meeting at 7.25pm.

Having declared a pecuniary interest in the following application, Councillor Batty left the meeting at 7.28pm.

- (d) 12/00380/OUT – Erection of 13 bungalows (extension to Markfield Retirement Village), Land off Pinewood Drive, Markfield – Mr Richard Gennard

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

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

Councillor Batty returned to the meeting at 7.45pm.

- (e) 12/00533/FUL – Extensions and alterations to dwelling and change of use to C2 (residential institution), 34 Adrian Drive, Barwell – Mr S Cheshire

Members expressed concern about bins being kept at the front of the properties, and it was requested that this be included in a note to applicant. It was moved by Councillor Sutton, seconded by Councillor Taylor and

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

- (f) 12/00507/FUL – Demolition of Methodist Church and school building and erection of new Methodist Church, Burbage Methodist Church, 40 Windsor Street, Burbage – Mr John Bircumshaw

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

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

- (g) 12/00597/FUL – Demolition of existing bungalow and associated outbuildings and erection of 57 dwellings and associated works, conversion of engine shed into visitor centre and formation of ten allotments and an ecological mitigation area, Sedgemere, Station Road, Market Bosworth – Sedgemere Developments

Some Members felt that there was insufficient detail contained within the proposal and it was moved by Councillor Ward and seconded by Councillor Sutton that the application be deferred and more information requested. Upon being put to the vote, the motion was LOST.

On the motion of Councillor Hall, seconded by Councillor Boothby 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 and education, 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 complete the agreement within three months of the date of this Committee might result in the application being refused.

Having reached 9.20pm, it was moved by Councillor Crooks and seconded by Councillor Taylor that the meeting be extended to consider the remaining items of business.

- (h) 12/00486/FUL – Erection of motor dealership including workshops, outdoor car sales display areas and associated works, Land (Unit D) at the junction of Coventry Road and Maple Drive, Hinckley – Mr Len Hallows

Attention was drawn to the amended recommendation in the late items that the application be permitted subject to conditions.

Concern was expressed regarding landscaping and the need for some natural screening. It was moved by Councillor Batty and seconded by Councillor Crooks that the decision be delegated to the Head of Planning to grant permission subject to the conditions contained in the late items and agreement of an acceptable landscaping scheme. Upon being put to the vote the motion was CARRIED and

RESOLVED – the Head of Planning be granted delegated authority to grant permission subject to the conditions contained in the late items and agreement of an acceptable landscaping scheme.

- (i) 12/00447/FUL – Extensions and alterations to emissions building and erection of temporary office accommodation, Triumph Motorcycles Ltd, Dodwells Road, Hinckley – Mr C Harvey

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

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

- (j) 12/00548/CONDIT – Removal of condition no4 of planning permission 09/00266/FUL to retain existing access, 2 Aldridge Road, Burbage – Mr Michael Broderick

Notwithstanding the officer's recommendation that the application be permitted, Members felt that the proposed entrance was too close to the junction and the application should therefore be refused on grounds of highway safety. It was also requested that, should the applicants submit an appeal, HBBC employ a Highways Consultant to present its case. On the motion of Councillor Mayne, seconded by Councillor Crooks, it was

RESOLVED – the application be refused on grounds of highway safety due to proximity to the junction.

- (k) 12/00513/FUL – Erection of agricultural building, 15 Bilstone Road, Little Twycross – Mr David Wright

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

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

Councillors Boothby and Smith left the meeting at 9.40pm.

- (l) 12/00549/HOU – Extensions and alterations to dwelling, 64 Southfield Road, Hinckley – Miss Louisa Horton

On the motion of Councillor Witherford, seconded by Councillor Hall, it was

RESOLVED – the application be permitted subject to no new significant material objections being received prior to the expiry of the consultation period ending 10 August and the conditions contained in the officer's report.

118 REQUEST FOR MODIFICATION OF S106 AGREEMENT AT NORTH WARWICKSHIRE AND HINCKLEY COLLEGE, LONDON ROAD, HINCKLEY

The Committee received a report which outlined a request to vary the terms of the Section 106 agreement in relation to planning permission 10/00505/OUT.

It was

RESOLVED –

- (a) the request for a variation of the S106 agreement as detailed in the officer's report be agreed;
- (b) the S106 agreement be amended in accordance with section 5 of the officer's report subject to the applicant meeting the Council's reasonable costs in concluding such an agreement.

119 GOVERNMENT CONSULTATION ON STATUTORY CONSULTEE PERFORMANCE AND AWARD OF COSTS

Members were advised and their views sought on the proposed consultation response. It was requested that Severn Trent Water be added to the 'statutory consultees'. On the motion of Councillor Crooks, seconded by Councillor Taylor it was

RESOLVED – the report be noted and the consultation response be agreed with the abovementioned inclusion.

120 ADDITIONAL FEE INCOME CHARGES

The Committee was presented with a report which advised of the new charging regime for service currently provided by the Development Control Team free of charge following agreement by the Executive in July. On the motion of Councillor Crooks, seconded by Councillor Taylor, it was

RESOLVED – the report and changes be noted.

121 GOVERNMENT CONSULTATION ON STREAMLINING INFORMATION REQUIREMENTS FOR PLANNING APPLICATIONS

Members' agreement was sought on the proposed response to the above consultation. Concern was expressed that the proposed changes may result in insufficient information being received. It was suggested that careful consideration needed to be given to what information was really needed and to protecting the authority's ability to request further information if necessary.

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

RESOLVED – the proposed response be supported and noted.

122 CONSULTATION: NEW OPPORTUNITIES FOR SUSTAINABLE DEVELOPMENT AND GROWTH THROUGH THE RE-USE OF EXISTING BUILDINGS

A report was presented which advised of the proposed consultation response to the abovementioned DCLG consultation paper. It was requested that concerns regarding the eroding of the role of the Local Planning Authority be noted.

RESOLVED – the report be noted and proposed response be supported.

123 APPEALS LODGED AND DETERMINED

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

RESOLVED – the report be noted.

124 APPEALS PROGRESS

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

RESOLVED – the report be noted.

125 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 9.50 pm)

CHAIRMAN