

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

19 FEBRUARY 2013 AT 6.30 PM

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

In accordance with Council Procedure Rule 4.2 Councillors were also in attendance.

Officers in attendance: Cathy Horton, Rebecca Owen, Michael Rice and Simon Wood

412 APOLOGIES AND SUBSTITUTIONS

An apology was submitted on behalf of Councillor Allen, with the substitution of Councillor Morrell authorised in accordance with Council Procedure Rule 4.1.

413 MINUTES

Members still felt that agreement on the minutes of 23 October should be revisited, and it was MOVED by Councillor Batty and seconded by Councillor Moore that the minutes of 23 October be amended with regard to application 12/00761/COU to resolve that "the application be permitted with a condition that outdoor dog shows be held on no more than 20 days per year". Upon being put to the vote, the motion was CARRIED.

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

RESOLVED –

- (i) the minutes of 23 October 2012 be agreed as amended above;
- (ii) the minutes of the meeting on 22 January 2013 be confirmed and signed by the Chairman.

414 DECLARATIONS OF INTEREST

No interests were declared at this stage.

415 DECISIONS DELEGATED AT PREVIOUS MEETING

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

- (a) 12/00889/FUL: it was reported that the Unilateral Undertaking was being finalised;
- (b) 12/00950/EXT: the S106 Agreement was being finalised;
- (c) 12/00964/FUL: the S106 Agreement was being finalised;
- (d) 12/00821/FUL: the Decision Notice had been issued on 29 January 2013.

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

- (a) 13/00002/CONDIT – Variation of condition 2 of planning permission 12/00761/COU to apply to outside dog shows only, Upper Grange Farm, Ratby Lane, Markfield – Mr Patrick Godden

Notwithstanding the officer's recommendation that the application for a variation of condition 2 be refused, Members felt that the limit on use of the indoor building was not required and that the conditions imposed as part of application 12/00761/COU should be imposed only on the land. It was MOVED by Councillor O'Shea and seconded by Councillor Sutton, that the application for variation of conditions be approved.

Concern was expressed by officers that if Members agreed to not apply the conditions to the building, all conditions agreed as part of application 12/00761/COU would transfer to the land only and there would be no control over the use of the building. An amendment was therefore proposed by Councillor O'Shea, seconded by Councillor Sutton and CARRIED that the application be approved subject to conditions limiting the use of the building to between 9am and 6pm on weekends and bank holidays.

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

RESOLVED – the application be approved with amended condition 2 and additional conditions limiting the use of the building as above.

- (b) 12/00873/FUL – Erection of solar panel field and associated infrastructure, The Stables, Pine Close, Stoke Golding – Mr Peter Mayne

Whilst the application was recommended for approval, some Members felt that it should be refused. It was moved by Councillor Crooks and seconded by Councillor Batty that the application be refused on the grounds that it was in the open countryside, didn't complement or enhance the character of the area and had a negative impact on the landscape. The Head of Planning requested that voting on the motion be recorded. The vote was taken as follows:

Councillors Batty, Chastney, Crooks, Moore, Morrell and O'Shea voted FOR the motion (6);

Councillors Bannister, Hodgkins, Hulbert, Mayne, Sutton and Taylor voted AGAINST the motion (6);

Councillors Hall, Inman, Lynch and Ward abstained from voting.

Having reached equal numbers of votes for and against the motion, the Chairman agreed to take a casting vote. The Chairman therefore voted that the motion be refused.

The motion was therefore declared REFUSED.

Councillor Taylor, seconded by Councillor Hodgkins, moved that the application be approved. The Head of Planning requested that voting be recorded on this motion. The vote was taken as follows:

Councillors Bannister, Hall, Hodgkins, Hulbert, Lynch, Mayne, Sutton and Taylor voted FOR the motion (8);

Councillors Batty, Chastney, Crooks, Moore, Morrell and O'Shea voted AGAINST the motion (6);

Councillors Inman and Ward abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED – the application be approved subject to the conditions in the officer's report and late items.

Councillor O'Shea left the meeting at 8.15pm.

- (c) 12/00981/FUL – Erection of 29 dwellings and 8 apartments, land at Hazel Way, Barwell – Westleigh Developments Ltd, Mr R Olsen and Mr S Hardy

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

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

- (d) 12/01009/FUL – Extension and alteration to garage, 14 Park Close, Earl Shilton, Leicester – Mr D Ellis

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

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

- (e) 12/00942/FUL – Erection of three dwellings with associated parking and access, 82 Coventry Road, Burbage, Hinckley – Mr Steve Powers

Notwithstanding the officer's recommendation that the application be approved, Members felt that the application constituted overdevelopment and would also raise highway safety issues with an egress onto a busy road near a junction. It was moved by Councillor Lynch and seconded by Councillor Moore that the application be refused on these grounds. The Head of Planning requested that voting on this motion be recorded. The vote was taken as follows:

Councillors Bannister, Batty, Chastney, Crooks, Hall, Hodgkins, Hulbert, Inman, Lynch, Moore, Morrell, Taylor and Ward voted FOR the motion (13);

Councillor Sutton voted AGAINST the motion (1);

Councillor Mayne abstained from voting.

The motion was declared CARRIED and it was therefore

RESOLVED – the application be refused for the abovementioned reasons.

- (f) 12/00880/FUL – Erection of 20 dwellings (part re-plan of 11/00219/REM), St Martins Convent, Hinckley Road, Stoke Golding – Mr Mark Horsley

On the motion of Councillor Sutton, seconded by Councillor Hodgkins, 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 and late items. Failure to complete the said agreement might result in the application being refused.

- (g) 12/01072/REM – Erection of 38 dwellings, community centre and formation of allotments and balancing pond with associated access (reserved matters for appearance, layout and scale), rear of 169 Main Street, Stanton Under Bardon – Charles Church North Midlands

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 and late items.

- (h) 12/01065/CONDIT – Variation of conditions 2 and 3 of planning permission 12/00288/DEEM to allow the development to be built in accordance with alternative plans and materials, Unit B Fleming Road, Hinckley – Hinckley & Bosworth Borough Council

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.

- (i) 12/01037/FUL – Demolition of existing store, extension to workshop and stores and relocation of hot glove shelter, Western Power Distribution, Nutts Lane, Hinckley – Western Power Distribution

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 and late items.

- (j) 12/01109/REM – Approval of reserved matters (appearance, landscaping, layout, scale) for 47 plots associated with outline permission 10/00505/OUT, North Warwickshire & Hinckley College, London Road, Hinckley – Bloor Homes South Midlands

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

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

417 APPEALS LODGED AND DETERMINED

Members were informed of any appeals which had been lodged or determined since the last meeting. On the motion of Councillor Hodgkins, seconded by Councillor Crooks, it was

RESOLVED – the report be noted.

418 APPEALS PROGRESS

Members were updated on the progress of appeals since the previous meeting. It was moved by Councillor Taylor, seconded by Councillor Crooks and

RESOLVED – the report be noted.

419 DELEGATED DECISIONS ISSUED

Members were informed of delegated decisions made since the previous meeting. On the motion of Councillor Crooks, seconded by Councillor Bannister, it was

RESOLVED – the report be noted.

(The Meeting closed at 9.15 pm)

CHAIRMAN