

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

25 JUNE 2013 AT 6.30 PM

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

In accordance with Council Procedure Rule 4.2 Councillors Mr DC Bill MBE, Mr CW Boothby and Mrs J Richards were also in attendance.

Officers in attendance: Edd Costerton, James Hicks, Ebony Mattley, Tracy Miller, Rebecca Owen, Michael Rice, Sally Smith and Chris Colbourn

44 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillors Bannister, Mrs Hall and Ward, with the substitution of Councillor Hodgkins for Councillor Mrs Hall and Councillor Batty for Councillor Ward authorised in accordance with Council Procedure Rule 4.

45 MINUTES

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

RESOLVED – the minutes of the meeting held on 21 May be confirmed and signed by the Chairman.

46 DECLARATIONS OF INTEREST

Councillor Chastney declared a non-disclosable pecuniary interest in application 12/01029/FUL and undertook to leave the meeting during debate on the application.

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

(a) 13/00395/COU – Change of use to a ten pitch caravan site and part demolition of buildings, Dalebrook Farm, Leicester Road, Earl Shilton – Miss Joanne Squires

Councillor Inman, seconded by Councillor Taylor, proposed that the application be approved as per the officer's recommendation. Councillor Morrell plus five other councillors stood to request a recorded vote. The vote was taken as follows:

Councillors Crooks, Hodgkins, Hulbert, Inman, Lynch, Mayne, Moore, Taylor and Witherford voted FOR the motion (9);

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

Councillor Sutton abstained from voting.

The motion was therefore declared CARRIED and it was

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

The meeting adjourned at 7.35pm to allow members of the public to leave the Chamber and others to enter. The meeting reconvened at 7.43pm.

- (b) 13/00345/REM – Erection of building to be used for class B8 purposes with gatehouses, vehicle maintenance unit and vehicle wash, salt barn, tyre store and garage, smoking shelter, weighbridge, fuel tanks and pumps, generators, substation, bin stores, water storage (sprinkler) tank and pump house and associated parking and landscaping, Land bounded by the Ashby Canal, Railway Line and Bridge Street, Burbage – Goodman Real Estate (UK) Limited

Whilst generally supportive of the application despite some reservations, Members suggested that the operators be invited to the liaison group that was already in existence and that conditions be added to put an environmental management plan in place to monitor the way the development takes place, including hours of work of the builders.

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

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

Having declared a pecuniary interest in the following application, Councillor Chastney left the meeting at 8.32pm.

- (c) 12/01029/FUL – Erection of 49 new dwellings, landscaped public open space and creation of a formal wetland habitat with access, Land of Spinney Drive and south of Brookside, Barlestone – Alexander Bruce Estates Ltd

Notwithstanding the officer's recommendation that the application be permitted, some Members felt that the application should be refused due to the site being outside of the settlement boundary, on grounds of sustainability and the low number of affordable homes and also due to the route of the footpath which had been a subject of much debate. It was moved by Councillor Crooks and seconded by Councillor Morrell that the application be refused for these reasons.

Councillor Witherford left the meeting at 9pm.

The Development Control Manager requested that voting on the motion be recorded. The vote was taken as follows:

Councillors Batty, Crooks, Hodgkins, Hulbert, Inman, Lynch, Moore, Morrell, O'Shea, Smith and Taylor voted FOR the motion (11);

Councillor Sutton voted AGAINST the motion (1);

Councillors Allen and Mayne abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED – the application be refused due to being outside of the settlement boundary, not sustainable, low number of affordable homes and concerns regarding the footpath.

Councillor Chastney returned to the meeting at 9.18pm.

- (d) 13/00094/FUL – Erection of 34 dwellings and associated infrastructure, land off Three Pots Road, Burbage – David Wilson Homes and Andrew Granger and Company

Having reached 9.25pm it was moved by Councillor Crooks, seconded by Councillor Sutton and

RESOLVED – the meeting be allowed to continue to conclude the business on the agenda.

Whilst the officer's recommendation was that the application be permitted, some Members expressed concern that the site was outside of the settlement boundary. It was moved by Councillor Inman and seconded by Councillor Moore that the application be refused on this basis.

The Development Control Manager requested that voting on this motion be recorded. The vote was taken as follows:

Councillors Crooks, Hodgkins, Hulbert, Inman, Lynch, Moore, Morrell, O'Shea, Smith and Taylor voted FOR the motion (10);

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

Councillors Batty and Mayne abstained from voting.

The motion was therefore declared CARRIED and it was

RESOLVED – the application be refused on grounds of being outside of the settlement boundary.

- (e) 13/00186/OUT – Erection of a bespoke care home with 35 bedrooms and associated amenities (outline – access, layout, appearance and scale), Glebe Farm, Kirkby Road, Barwell – Konrad Skubala

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

RESOLVED - subject to no significant material objections being received prior to the expiry of the consultation period on 28 June 2013 the application be permitted subject to the conditions contained in the officer's report and late items.

- (f) 13/00278/FUL – Change of use from a residential dwelling to an independent special school for children and use of buildings and land for education purposes including keeping ponies, chickens etc, land at Brookland Farm, Kirkby Road, Barwell – Mr Jonathan Read

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

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

- (g) 13/00338/LBC – Alterations to existing building, Atkins Building, Lower Bond Street, Hinckley – Mrs Rita Finney

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

RESOLVED – the Development Control Manager be authorised to make an application to the Secretary of State, in accordance with Regulation 13 of the Planning (Listed Building and Conservation Areas) Regulations 1990 (1519) for consent to the proposals.

- (h) 13/00308/FUL – Demolition of three existing stables and the erection of two 2-bed holiday units, Bondman Hayes Farm, Markfield Road, Ratby – Mr Jones

Whilst generally supportive of the proposal, Members felt that in order to prevent permanent or semi permanent residential use of the site, the condition 3 should be strengthened to state that stays should be no longer than four weeks with no return within two weeks. It was moved by Councillor Sutton, seconded by Councillor Allen and

RESOLVED – the application be permitted subject to the conditions contained in the officer's report with condition no 3 amended to reduce the length of occupation to four weeks.

48 STATEMENT OF COMMUNITY INVOLVEMENT

Members received a report which proposed an amendment to Section 6 of the Statement of Community Involvement. It was

RESOLVED – the report be RECOMMENDED to Council for agreement of the amendment to Section 6.

(Councillor Batty was absent during this item).

49 HINCKLEY & BOSWORTH LOCAL PLAN 2006-2026 EARL SHILTON & BARWELL AREA ACTION PLAN DEVELOPMENT PLAN DOCUMENT - PRE SUBMISSION DOCUMENT

The Committee received a report which asked them to consider the pre-submission draft of the Earl Shilton & Barwell Area Action Plan, Strategic Transport Assessment and Viability Assessment. A Member expressed concern regarding the potential new supermarket which may impact on the existing centre and sought clarity as to the relationship of such a proposal with policy 14. Officers clarified that any proposals outside of the SUEs would not be assessed against Policy 14. It was

RESOLVED – the Area Action Plan pre-submission draft be RECOMMENDED to Council for approval.

50 THE IMPLICATIONS OF THE GENERAL PERMITTED DEVELOPMENT ORDER 2013

Members received a report which informed them of the amendments to the Town and Country Planning (General Permitted Development) Order 1995 which brought various amendments to permitted development rights. A Member expressed concern that there was no reference to local members and parish councils being notified once the local planning authority had been made aware that a person was intending to use the right. In response it was confirmed that the only requirement was to inform the neighbours. It was moved by Councillor Smith, seconded by Councillor Hulbert and

RESOLVED – the report and amendments be noted.

51 APPEALS LODGED AND DETERMINED

It was moved by Councillor O'Shea, seconded by Councillor Smith and

RESOLVED – the report be noted.

52 APPEALS PROGRESS

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

RESOLVED – the report be noted.

53 DELEGATED DECISIONS ISSUED

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

RESOLVED – the report be noted.

(The Meeting closed at 10.15 pm)

CHAIRMAN