

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

14 OCTOBER 2014 AT 6.30 PM

PRESENT: Mr R Mayne - Chairman  
Mr JS Moore – Vice-Chairman  
Mr RG Allen, Mr JG Bannister, Mr PR Batty (for Mrs H Smith), Mr CW Boothby,  
Mr DS Cope, Mrs WA Hall, Mrs L Hodgkins, Mr MS Hulbert, Mr KWP Lynch,  
Mr K Morrell, Mr LJP O'Shea, Mr BE Sutton, Miss DM Taylor, Mr R Ward and  
Ms BM Witherford

Officers in attendance: Rebecca Owen, Michael Rice, Nic Thomas and Andrew Thompson

204 APPLICATION 14/00480/FUL - 3-5 HAWLEY ROAD, HINCKLEY

At the commencement of the meeting, the Chairman stated that the Leader of the Council had requested that application 14/00480/FUL be withdrawn from the agenda to allow further discussion with the applicant regarding possible controls relating to end users of the site.

RESOLVED – consideration of the application be deferred.

205 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillor Smith, with the substitution of Councillor Batty authorised in accordance with Council Procedure Rule 4.

206 MINUTES

It was moved by Councillor Allen, seconded by Councillor Hall and

RESOLVED – the minutes of the meeting held on 16 September 2014 be confirmed and signed by the Chairman.

207 DECLARATIONS OF INTEREST

A member sought advice on the requirement of any members who had received hospitality from Twycross Zoo to declare an interest in application 14/00731/FUL. In response it was stated that it would not constitute a pecuniary interest and therefore preclude them from taking part in the debate and voting thereon but the decision to make a declaration for the purposes of openness and transparency was that of the individual member.

No declarations were made at this stage.

208 DECISIONS DELEGATED AT PREVIOUS MEETING

It was reported that all decisions except one had been issued. A Unilateral Undertaking was currently being drafted in respect of the remaining decision.

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

The Chief Planning & Development Officer presented a schedule of planning applications along with late items.

- (a) 14/00367/OUT – Erection of 10 dwellings (outline – access and layout), land rear of Oddfellows Arms, 25 Main Street, Higham on the Hill – Foregreen Ltd

Notwithstanding the officer's recommendation that permission be granted subject to S106 obligations and conditions, some members felt that there were more suitable sites and that this wasn't a preferred site in the Site Allocations DPD. Concern was expressed that the land had ecological value and habitat would be lost. In considering the risk of further development on the land adjacent to this site, some discussion ensued on the possibility of amending the layout to close off the open access to the biodiversity area which the applicant had intended to leave open to provide views through the site.

It was moved by Councillor Ward and seconded by Councillor Batty that the application be refused due to being contrary to Policy 12 of the Hinckley & Bosworth Core Strategy by significantly exceeding the allocated housing requirement for Higham on the Hill which would be contrary to the spatial vision for the distribution of growth across the borough and due to the harm that would be caused to the rural setting of the village and the Higham on the Hill Conservation Area contrary to Saved Policy BE7 of the adopted Hinckley & Bosworth Local Plan 2001. The Chief Planning & Development Officer requested that voting on this motion be recorded. The vote was taken as follows:

Councillors Allen, Batty, Boothby, Morrell, O'Shea, Sutton and Ward voted FOR the motion (7);

Councillors Hall, Hodgkins, Hulbert, Mayne and Witherford voted AGAINST the motion (5);

Councillors Bannister, Cope, Lynch, Moore and Taylor abstained from voting.

The motion was declared CARRIED and it was

RESOLVED – the application be refused for the abovementioned reasons.

- (b) 14/00515/OUT – Erection of two dwellings (outline) access only, land rear of bungalow, 4 Pipe Lane, Orton on the Hill – Mrs Pauline Rosa Taylor

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

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

- (c) 14/00731/FUL – Erection of a giraffe house and landscaped pedestrian access, Twycross Zoological Park, Burton Road, Norton Juxta Twycross – Twycross Zoo

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

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

- (d) 14/00281/FUL – Erection of 14 dwellings with associated car parking, Manchester Hosiery Manufacturing Co Ltd, Queens Road, Hinckley – Evans Bros Ltd

Whilst acknowledging the reasons for the recommendation of refusal, some members felt that the site would benefit from the development and that further attempts should be made to overcome the issues that had resulted in the recommendation of refusal. Councillor Witherford, moved that the application be approved, but on listening to further discussion moved that approval be delegated to officers following discussion and agreement of improvements to the design and layout. It was seconded by Councillor Batty and

RESOLVED – approval be delegated to the Chief Planning and Development Officer following successful resolution of issues. Should the issues not be resolved, the application will be brought back to the Planning Committee.

- (e) 14/00699/COU – Change of use to a mixed use comprising of office/industrial and motor vehicle sales with associated parking at Whittle Road, Hinckley (retrospective), 23 Harrowbrook Road, Hinckley – Mr Gavin Robertson

It was moved by Councillor Boothby, seconded by Councillor Allen and

RESOLVED – permission be granted subject to S106 obligations and the conditions contained in the officer's report.

#### 210 TREE PRESERVATION ORDER, 21 ST GEORGES AVENUE, HINCKLEY

A report was presented to the Committee which recommended confirmation of a Tree Preservation Order (TPO) on four trees at 21 St Georges Avenue, Hinckley. One of the trees (referred to as T1) was at the front of the property, and the remaining trees (T2, 3 & 4) were at the rear. It was reported that all trees were in a healthy condition and were deemed to enhance the visual amenity of the area. It was also reported that whilst there had been some damage to the pavement from the roots, this was regularly repaired.

Some members expressed concern regarding the uneven pavement being a trip hazard and the cost of repeatedly repairing the pavement being unsustainable for the County Council as a result of damage caused by the roots of T1. It was therefore felt by some that T1 should not be subject to a TPO to enable removal of the tree. Other members felt that the tree added value to the streetscene and was a landmark in the street.

It was moved by Councillor Witherford and seconded by Councillor Taylor that the Tree Preservation Order be confirmed for trees T2, T3 and T4 at the rear of the property, but not confirmed for tree T1 at the front. Upon being put to the vote the motion was CARRIED and it was

RESOLVED –

- (i) The Tree Preservation Order be confirmed for trees T2, T3 and T4;
- (ii) The Tree Preservation be not confirmed for tree T1.

#### 211 APPEALS PROGRESS

Members were updated on the progress of appeals since the previous meeting. It was noted that, since the report had been prepared, the start date for 31 The Fairway, Burbage, had been notified as 8 October. It was moved by Councillor O'Shea, seconded by Councillor Witherford and

RESOLVED – the report be noted.

212 DELEGATED DECISIONS ISSUED

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

RESOLVED – the report be noted.

(The Meeting closed at 8.30 pm)

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CHAIRMAN