

From: plot64@talktalk.net
Sent: 19 November 2024 09:27
To: Chris Brown; stuart.bray@hinckley-bosworth.gov.uk
Cc: sullevan.archer@hinckley-bosworth.gov.uk; 'Tim Hartley'; Andy Reid
Subject: FW: 24/00654/FUL: 502 Coventry Road, Hinckley: Redacted call in email trail re Tuesday 19th November 2024 Planning Committee.
Attachments: GDPR 24.09.24 OBJECTION TO 24_00654_FUL_Redacted.pdf; HA Response_2024-3847-04-HCON.pdf; Committee Extract 24.00654.FUL.pdf

Morning Chris,

Re the below and attached, I see the redacted email trail is yet to be added to Public Access as previously requested, therefore I can only assume the LPA do not consider it is material even though it is the sole reason the application was not approved under delegated powers with an officer recommendation of approval.

Should we end up in an appeal situation it will be for the Inspector to judge if the call in made by Cllr Pendlebury was based on the reliable facts of the case and took place within the appropriate time frame in accordance with the Council's Constitution as featured in para 5.3 of the committee extract as cited below.

Kind Regards,

Simon

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From: plot64@talktalk.net <plot64@talktalk.net>
Sent: 12 November 2024 12:36
To: Chris Brown <Chris.Brown2@hinckley-bosworth.gov.uk>
Cc: sullevan.archer@hinckley-bosworth.gov.uk; 'Tim Hartley' <Tim.Hartley@hinckley-bosworth.gov.uk>; Andy Reid <reidspeeduk@hotmail.co.uk>
Subject: FW: 24/00654/FUL: 502 Coventry Road, Hinckley

Dear Chris,

I did not receive a reply regarding the below and attached, and I note from the committee extract reference is made to the correspondence between Sullivan and Cllr Pendlebury that states:

"5.3. The application was called in to Planning Committee by a Ward Councillor on access and design grounds following discussion with the Case Officer within the appropriate time frame in accordance with the Council's Constitution."

As previously requested, can the attached redacted GDPR email extract be added to Public Access so it is abundantly clear there is no technical objection from highways and the principle of the existing built form was established from the previous planning history which is why notwithstanding and the recommendation of refusal by Sullivan on design grounds, the actual formal recommendation is one of approval.

Paragraph B20 of the former Circular states planning authorities are not bound to accept the recommendation of officers but where professional advice is not followed, authorities will need to show reasonable grounds for taking a contrary decision and produce evidence to support the decision in all respects. Paragraph B15 states that planning authorities should not prevent or delay development which should be clearly permitted having regard to the development plan, the Framework and other material considerations.

The applicant was only told the application had become a committee item on the target date of 27th August 2024, therefore a sizable delay has already occurred in the determination of the proposal and I m concern this delay could be significantly extended should we end up in an appeal situation because Cllr Pendlebury may have mistakenly formed the opinion, the officer recommendation was going to be one of refusal instead of approval.

I wanted to raise this matter well in advance of the Tuesday 19th November 2024 Planning Committee meeting, so it is a matter of public record and for the avoidance of doubt in the event of an appeal situation.

Kind Regards,

Simon

Simon Cheshire BA(Hons) DipTP MRTPI

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From: plot64@talktalk.net <plot64@talktalk.net>

Sent: 18 October 2024 14:46

To: 'Sullivan Archer' <Sullivan.Archer@hinckley-bosworth.gov.uk>

Cc: 'Tim Hartley' <Tim.Hartley@hinckley-bosworth.gov.uk>; Andy Reid <reidspeeduk@hotmail.co.uk>; Chris Brown <Chris.Brown2@hinckley-bosworth.gov.uk>

Subject: RE: 24/00654/FUL: 502 Coventry Road, Hinckley

Dear Sullivan,

Please find attached the email exchange between yourself and Cllr Pendlebury during the dates of 31st July and the 6th August 2024 following the associated FOI request.

It is clear from the exchanges you indicate a refusal on highway grounds could not be substantiated, particularly following the previous approval for the original garage and the consistent formal advice from the HA since.

However, on the 2nd August 2024 you advised Cllr Pendlebury subject to further discussions with your managers, you would be recommending the application for refusal due to the harm of the built form on the existing character of the area, notwithstanding the previous approval of the original garage via application 20/01203/FUL.

It appears on the 6th August you inform Cllr Pendlebury the HA raised no objection, however Cllr Pendlebury proceeded to call the item to planning committee *"on the grounds of access and design not in keeping with the area"*.

Following discussions with your manager you informed me on the target date of 27th August 2024, some three weeks later:

"As an update on your planning application, the Case Officer recommendation is for approval. However, in accordance with Point 5 of Paragraph 2.1 of the Council's Constitution and alongside a late call-in by a Borough Councillor, the planning application is required to be determined via the Planning Committee."

Give the circumstances above, the email exchanges between yourself and Cllr Pendlebury are material and seemingly directly led to the determination of the application at the November 2024 Planning Committee, rather than under delegated powers within the original target date of 27th August 2024.

On this basis can the attached GDPR redacted email exchange be added to Public Access as a material consideration, in the event an appeal is necessary following the Tuesday 19th November 2024 Planning Committee.

Kind Regards,
Simon

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From: Sullivan Archer <Sullivan.Archer@hinckley-bosworth.gov.uk>
Sent: 02 October 2024 10:18
To: plot64@talktalk.net; Andy Reid <reidspeeduk@hotmail.co.uk>
Cc: Tim Hartley <Tim.Hartley@hinckley-bosworth.gov.uk>
Subject: 24/00654/FUL: 502 Coventry Road, Hinckley

Good morning, Simon,

I hope you're well.

I've just been informed that the October Planning Committee has been cancelled so your proposal is now being put forward for determination at the November Planning Committee on Tuesday 19 November 2024. Therefore, please can we agree to an extension of time until Friday 22 November 2024?

Kind regards,

Sullivan

Sullivan Archer

Senior Planning Officer (MRTPI)

Tel: 01455 255 761

Email: Sullivan.Archer@hinckley-bosworth.gov.uk

Web: www.hinckley-bosworth.gov.uk

Hinckley Hub, Rugby Road, Hinckley, Leics LE10 0FR

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Hi [REDACTED]

Thank you for this update. I think, given the issues, I will call this in to planning on the grounds of access and design not in keeping with the area.

If you could advise when you get a date for committee, I would very much appreciate it.

Thanks for your help.



Thanks



Sent from [Outlook for Android](#)

From: [REDACTED]
Sent: Tuesday, August 6, 2024 3:14:42 PM
To: [REDACTED]
Subject: RE: OBJECTION TO 24/00654/FUL - please help

Good afternoon, [REDACTED]

As requested, please find attached the latest comments from the Local Highway Authority for the proposal at 502 Coventry Road, Hinckley.

I've just tried to contact you, but I couldn't get through. Would you be able to ring me back when you have a moment, please?

Kind regards,



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Hi [REDACTED]

@Hinckandbosbc

From: [REDACTED]

Sent: Friday, August 2, 2024 8:24 AM

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Re: OBJECTION TO 24/00654/FUL - please help

Hi [REDACTED]

Thanks for coming back to me and for the information.

It is irritating that yet again, planning law is sort to be circumvented.

I'm not sure how it would help to obtain the information from County although I suppose it couldn't hurt to have all the facts to hand.

Given the location of this garage and access on to an already problematic junction, do we have an idea as to whether this is likely to be successful?

Thanks
[REDACTED]

Sent from [Outlook for Android](#)

From: [REDACTED]

Sent: Thursday, August 1, 2024 5:15:18 pm

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: RE: OBJECTION TO 24/00654/FUL - please help

Good afternoon, [REDACTED]

Thanks for getting in touch and thank you for sending across this response from a member of the public.

I can confirm that [REDACTED] response to the planning application 24/00654/FUL at 502 Coventry Road, Hinckley was received by the Planning Support Team on 31 July at 3:49 PM.

For clarity, one planning application (18/00028/FUL) for the provision of one new dwelling within the application site was withdrawn because the Local Planning Authority considered the development to be out of character with the surrounding area. Following this, a

planning application for the provision of a detached garage within the site was approved via 20/01203/FUL.

The Planning Enforcement Department received two enforcement complaints about the site last year (23/00001/BOCS and 23/00201/BOCS) as the extensions to the dwelling and the development of the garage within the site were not built in accordance with planning permissions 19/01116/HOU and 20/01203/FUL. Neither of the complaints were raised by [REDACTED]

Within their inspection of the complaints, the Enforcement Officer did not highlight that the garage was being used for a residential use. The Enforcement Officer also confirmed that whilst there were elements of the design of the development that were contrary to the approved plans, these could be rectified via a non-material planning application.

To date, a non-material planning application has not been received by the Local Planning Authority for the approval of the changes to the dwelling. However, planning application 24/00654/FUL includes the appropriate amendments to the plans for the garage.

I was unable to find any further information in relation to the works in the public highway or the incident with the hole in the pavement within our systems, but I can contact the Local Highway Authority for information on this if you would like further details on this matter.

I hope this helps, and if you have any further questions or queries, please get in touch.

Many thanks,

[REDACTED]

[REDACTED]



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From: [REDACTED]

Sent: Wednesday, July 31, 2024 5:46 PM

To: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Subject: Fwd: OBJECTION TO 24/00654/FUL - please help

Hi [REDACTED]

Please see the email below. I gather this has been allocated to you.

Can you advise if the information given by the complainant is accurate.

Also can you confirm if a complaint from the resident has already been received.

Thanks for your help.

[REDACTED]

Sent from [Outlook for Android](#)

From: [REDACTED]

Sent: Wednesday, July 31, 2024 3:56:37 pm

To: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Subject: OBJECTION TO 24/00654/FUL - please help

I am sending this email as a plea, in your positions, to object to this application (ref. 24/00654/FUL)

They submitted a plan for a house, got it refused a few years ago. Decided to building a "garage", got it permitted, tried to do works in the road, used fake signs and barriers with their friends company, an old man fell down the HOLE they left in the pavement and they had to repair the pavement and pay a fine.

they carried on with their garage, stuck a kitchen in there, stuck a bed in there, used it as a house which was always their intention, didnt even build the outside of it as it was supposed to be (theres an enforcement file on this showing larger windows, doors, drainage not installed) now they've let the dust settle and they want to try again.

Location of the garage is ridiculous for a house, at the back garden, in between a big development of flats and their house.

The idea of a house here, the design, the layout, the intent of the applicant is all wrong. The council were right to refuse it the first time. the policy position has not changed that much and the principle of a house on this plot is not acceptable, the DM assessment is left wanting.

Please do not entertain this application, and Councillors, please fight for us and raise awareness to this half baked idea.

thank you all so much



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