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Borough Council

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Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 02 March 2017

To: Members of the Planning Committee

Mr R Ward (Chairman)	Mr C Ladkin
Mr BE Sutton (Vice-Chairman)	Mr LJP O'Shea
Mr PS Bessant	Mr RB Roberts
Mrs MA Cook	Mrs H Smith
Mrs GAW Cope	Mrs MJ Surtees
Mr WJ Crooks	Miss DM Taylor
Mrs L Hodgkins	Ms BM Witherford
Mr E Hollick	Ms AV Wright
Mrs J Kirby	

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **PLANNING COMMITTEE** on **TUESDAY, 28 FEBRUARY 2017** at **6.30 pm**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen
Democratic Services Officer

SUPPLEMENTARY AGENDA

8. 16/00976/FUL - LAND ADJACENT TO COMFORT FARM, ROGUES LANE, HINCKLEY

Application for erection of two day room buildings and the relocation of the site access.

Late items received after preparation of the agenda:

Description

The application has been amended as the number of dayrooms have been reduced from two to one.

Appraisal

Amended plans have been received which removes one of the proposed day rooms this reduces the impact on the surrounding countryside by limiting the amount of built development on site.

In addition, following discussions with the agent it has been agreed that an additional condition should be imposed to require details of the materials proposed to be submitted for approval to the Local Planning Authority prior to commencement of development to ensure that the development is constructed from materials that are more sympathetic to the buildings countryside location.

Recommendation:-No change

Amended Conditions:-

1. This permission shall expire on 10 August 2021 at which date all development detailed on the plan: Proposed Elevations and Floor Plan (Scale 1:100) received on 24 October 2016 and Proposed Plan (Scale 1:500) received on the 24 February 2017 shall be removed and the site restored to agriculture.

Reason: To ensure a satisfactory appearance and impact of the development to accord with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

3. The development hereby permitted shall not be carried out except in complete accordance with details shown on the submitted plans: Proposed Elevations and Floor Plans (Scale 1:100) and Location Plan (Scale 1:2500) received by the Local Planning Authority on the 24 October 2016 and the Proposed Plan (Scale 1:500) received on the 24 February 2017.

Reason: To ensure a satisfactory appearance and impact of the development to accord with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

5. Notwithstanding the details provided on Proposed Elevations and Floor Plan (Scale 1:100) received on 24 October 2016; before any development commences, representative samples of the types and colours of materials to be used on the

external elevations of the proposal shall be deposited with and approved in writing by the local planning authority and the scheme shall be implemented in accordance with these approved materials.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD.

10. 16/00441/FUL - CEDAR LAWNS, CHURCH STREET, BURBAGE

Application for conversion of offices (B1a) to five flats (C3) including demolition of single storey rear extension, conversion of outbuilding to one dwelling and erection of three new dwellings.

Late items received after preparation of the agenda:

Consultations:-

A full 14 day re-consultation was carried out on the amended layout and detailing no further conditions or comments raising any additional points were received from the following:

LCC Drainage
LCC Developer Contributions
LCC Highways
LCC Archaeology
LCC Ecology
HBBC Affordable Housing Officer
HBBC Conservation Officer
HBBC Environmental Health (Pollution)
HBBC Waste
HBBC Drainage
HBBC Compliance and Monitoring Officer
Burbage Parish Council
Environment Agency

Seven further letters of representation have been received from four separate addresses. The letters received raise the same concerns as previously as well as:

- 1) Loss of trees within the site and the conservation area
- 2) Lack of consultation
- 3) Use of a private alleyway from Church Street to land rear of 66-72
- 4) Land levels differing throughout the site

Appraisal:-

All letters of representations and concerns raised through the re-consultation and the initial consultation have been addressed in the Officer's report.

Concerns have arisen regarding the loss of trees within the site and the conservation area. It is proposed to remove a number of trees within the site as part of this application. All trees to be removed are highlighted within the relevant plans. The removal of the tree to the front of the site would reveal the existing front elevation and allow for a greater appreciation of the significance of the Cedar Lawns. Two trees to the rear of the site are to be removed which do not significantly add to the character of the conservation area. The landscaping scheme shows a large number of improvements to the site, including additional planting and landscaping to all areas of the application site. It shows that

benefits can be achieved through an appropriate landscaping scheme which outweighs any harm arising from the development. To ensure that the benefits are carried out, a full and detailed landscaping scheme including different specimen types is to be submitted and secured by condition.

Concerns have arisen regarding the lack of consultation during the application process. All known landowners were consulted as part of the application. In addition to this, site notices were posted within the vicinity of the site and a notice was displayed in the local press. An additional site notice was displayed and another notice was displayed in the local press as part of the re-consultation process on the amended scheme.

Concerns have also arisen regarding the use of a locked private alleyway linking Church Street and land to the rear of 66-72 Church Street. It is expressed that the use of the alleyway would not be used for the occupiers of the converted bungalow, however a proposed 1.8 metre high fence is proposed along the border of the site to the alleyway. Further to this, the access rights of this alleyway is a civil matter.

Concerns have arisen regarding the land levels of the site, especially to the rear of 66-72 Church Street and potential overlooking or impact upon residential amenity. To ensure the levels of the proposed buildings are in keeping with the existing buildings on site and do not impact upon the residential amenity of neighbouring properties, a suitably worded condition is recommended in the officers report requiring existing and proposed levels to be submitted prior to commencement.

Concerns have been raised regarding the use of a timber fence along the boundary to Plot 1 and the rear gardens of nos. 66-72 Church Street being out of keeping with the area and the conservation area. A brick wall would be more in keeping with the character of the area and the site as a whole where the majority of the boundary treatment are or are proposed to be brick walls. An amended plan has been received and showing a brick wall along this boundary and an additional condition is also recommended to secure this.

Concerns have arisen regarding the loss of the boundary wall separating the land to the rear of Cedar Lawns and the land to the rear of 66-72 Church Street. The currently undeveloped land to the rear of 66-72 Church Street would have limited encroachment from built development and will mainly form rear gardens and parking areas, reflecting its historical openness. Car parking and access would be provided to the rear of the dwelling. This land was a former orchard but currently has no trees and is of poor quality with a scrub like appearance. The landscaping scheme requires that the gardens would be laid with lawn with a number of specimen trees planted along the boundaries. This land would have a green character and the appearance of the land can be maintained through its use as gardens for the new dwelling and converted outbuilding. There is the potential for a range of specimens to be planted that reflect the historical use of the land as an orchard and the planting of semi-mature trees would reflect the rural character of the conservation area. Such planting is suggested as a means of an enhancement of this section of the conservation area. Further to this, the access to the parking and turning area to this part of the application would be bounded by a dwarf wall, railing and hedging which would provide a soft appearance; this would be secured by condition. Concerns have arisen regarding the use of this land being left to run down, resulting in its poor quality. This application provides the opportunity to bring this area of land which is currently of poor quality back to its former use and will hopefully alleviate concerns regarding the quality of this land.

The materials to be used on all external building are to be submitted via condition 3. It is proposed to ensure that timber painted windows are proposed to all new dwellings to ensure the character of the conservation area is enhanced and the proposed buildings complement the existing Cedar Lawns.

Recommendation:- No change

Amended Condition

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Proposed Bungalows, Drg. No. 16/20/13 Rev. B (scale 1:100) received by the Local Planning Authority on 7 February 2017

Proposed House Drg. No. 16/20/15 Rev. A (scale 1:100), Block Plan Drg. No. 16/20/05 Rev. G (scale 1:200) and Site Plan Drg. No. 16/20/14 Rev. D (scale 1:200) received by the Local Planning Authority on 8 February 2017 and

Proposed Outbuilding Conversion, Drg. No. 16/20/12 Rev. D (scale 1:100) and Proposed Elevations Drg. No. 16/20/10 Rev. C (scale 1:100) and Proposed Floor Plans Drg. No. 16/20/04 Rev. B (scale 1:100) received by the Local Planning Authority on 28 February 2017.

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document.

Additional Condition

17. Notwithstanding the submitted details on approved plan Block Plan Drg. No. 16/20/05 Rev. G (scale 1:200) and Site Plan Drg. No. 16/20/14 Rev. D (scale 1:200) received by the Local Planning Authority on 8 February 2017, the proposed boundary treatments between plot 1 and the rear gardens of no. 66-72 Church Street are to be constructed using a brick wall.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document.

11. 16/00442/LBC - CEDAR LAWNS, CHURCH STREET, BURBAGE

Application for listed building consent for the conversion of offices (B1a) to five flats (C3) including demolition of single storey rear extension, conversion of outbuilding to one dwelling.

Late items received after preparation of the agenda:

Consultations:-

A full 14 day re-consultation was carried out on the amended layout and detailing. Representations received from the following consultees raise no further comments:

HBBC Conservation Officer
Burbage Parish Council

Three further letters of representations have been received from one address raising the following new concerns.

- 1) Loss of trees within the site and the conservation area
- 2) Land levels differing throughout the site

3) Loss of the boundary wall and loss of the land to the rear of 66-72- Church Street

Appraisal:-

All letters of representations and concerns raised through the re-consultation and the initial consultation have been addressed in the Officer's report. The concerns raised by residents above point 1 and 2 are planning concerns and are not matters that can be considered as part of the listed building consent but are considered on the planning application.

Point 3 relates to the loss of a wall separating the land to the rear of Cedar Lawns from land to the rear of 66-72 Church Street is currently covered by dense vegetation and ivy and is not as visible from land within the Cedar Lawns. The wall is listed and is proposed to be demolished as part of this application which would cause a level of harm to the significance of the curtilage listed structure, considered to be minor. However the removal of this wall provides the opportunity to provide an enhancement on the current condition of the land to the rear of 66-72 Church Street through the proposed use of part of the land as garden. As high quality landscaping can be achieved, secured via a condition, then the significance of Cedar Lawns and the conservation area can be sustained and enhanced which is considered a heritage benefit.

Concerns have also arisen regarding further detailing and work to be completed on the main building itself, including repairing and restoration works. As a result, the existing window which is currently bricked up on the second floor side elevation should be reused and re-opened, this is to be secured by condition. The proposed restoration works to the main building, including stone work, guttering, downpipes and windows are to be conditioned for further information to be submitted prior to commencement.

Recommendation:- No change

Amended Condition

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
Block Plan Drg. No. 16/20/05 Rev. G (scale 1:200) and Site Plan Drg. No. 16/20/14 Rev. D (scale 1:200) received by the Local Planning Authority on 8 February 2017 and

Proposed Outbuilding Conversion, Drg. No. 16/20/12 Rev. D (scale 1:100), Proposed Elevations Drg. No. 16/20/10 Rev. C (scale 1:100) and Proposed Floor Plans Drg. No. 16/20/04 Rev. B (scale 1:100) received by the Local Planning Authority on 28 February 2017.

Reason: To ensure a satisfactory impact of the development to preserve the architectural and historic character of the building in accordance with Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document.

3. No development shall commence until a method statement for the external elevations of Cedar Lawns, the rebuilding of the external wall to Grove Road and the retention of the feature chimney have been submitted to and approved in writing by the Local Planning Authority. Details shall include but are not exhaustive to:
 - Stone and brick repair across the building, including the side elevation to

Grove Road

- Details of guttering and downpipes and the materials to be used
- Details of any repairs to windows and openings including secondary glazing features

The approved details shall be implemented in full before the development the first occupation of any dwelling.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document.

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