

Public Document Pack



Hinckley & Bosworth
Borough Council

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

Date: 11 January 2018

To: Members of the Planning Committee

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

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, 9 JANUARY 2018** at **6.30 pm**.

Yours sincerely

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

Rebecca Owen
Democratic Services Officer

SUPPLEMENTARY AGENDA

7. 17/00765/FUL - THE BIG PIT, LAND TO THE REAR OF 44 TO 78 ASHBY ROAD, ASHBY ROAD, HINCKLEY

Application for erection of 60 dwellings including engineering infill operation and associated works.

Late items:

Consultation Responses:

Environment Agency

Additional information has been submitted by the objectors this has been reviewed by the Environment Agency who have confirmed that they have no objection to the development.

Representations

Additional representations have been received from an objector raising concerns regarding the processing of the application and inaccuracies in the Officer report to Committee. The process was reviewed by a Scrutiny Working Group on the 8 January 2018. A note on the findings will be circulated to Members. The key findings of the Working Group were that the current planning application had been processed correctly in line with the relevant procedures.

The Officer Report has been reviewed and there are no inaccuracies in the report. The Officer Report accurately reflects the written responses from statutory consultees and provides professional planning advice into the relevant material planning considerations which need to be considered in the determination of the planning application.

Appraisal:-

Connectivity and access

An additional condition is required to ensure the construction of an additional footpath.

Policy DM17 of the SADMP requires development to ensure that there is convenient and safe access for walking and cycling to facilities and services.

The proposed layout of the site provides pedestrian and vehicular access to Ashby Road along the main entrance and pedestrian access to footpath U76 to the east of the site. It is considered that pedestrian access could be improved to Ashby Road for the future residents residing in the dwellings on the northern end of the site. A footpath could be provided from Ashby Road between nos 78 and 80, to the adoptable road in the north west corner of the site near to plot nos 47, 48 and 49. The footpath could reduce the width of the garden of plot 47 which would still be a reasonable size or adjoin the rear access serving plot 48. As a footpath could be provided without the need for significant amendments to the layout it is considered that the footpath could be secured through a suitably worded condition.

Recommendation:- Approve subject to conditions as set out in paragraph 11.4 of the case officer's committee report and the condition:

36. Notwithstanding the details shown on drawing no. 40397/001O - Site Layout, no development associated with the construction of any dwelling shall commence until such time as a scheme for a footpath link between Ashby Road, between Nos. 78 and 80 Ashby Road, and the adoptable highway in the north west corner of the site has been submitted to and approved in writing by the local planning authority. No more than 80% of the dwellings shall be occupied until the footpath link has been constructed in accordance with the approved scheme.

Reason: To ensure safe and convenient pedestrian access to facilities and services to accord with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD.

8. 17/00149/FUL - BULL IN THE OAK FARM, BOSWORTH ROAD, BULL IN THE OAK, CADEBY

Application for removal of existing residential and agricultural buildings for the erection of five new dwellings and associated works.

Late items:

Recommendation:-

The Conservation Officer has recommended a condition to be imposed to ensure that the construction of the new dwellings reflect the site context, including the adjacent Grade II listed Old Farmhouse. Therefore, the following condition would be imposed in addition to those already specified within the report:-

18. The bond of the brickwork to be applied to the dwellings hereby approved shall be in accordance with either an English Garden Wall bond or a Flemish Garden Wall bond.

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1, Policies DM4, DM10, DM11 and DM12 of the SADMP, section 12 of the NPPF and the statutory duty of Section 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Additionally, Condition 12 within the report has been re-worded to allow for the commencement of clearance and demolition on the site prior to the submission of a further scheme of investigation of potential land contamination:-

12. Notwithstanding the recommendations within the submitted Nicholls Colton report ref: G16301-IR - Final dated November 2016, no development past the demolition and clearance of the existing buildings on site shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: In the interest of the protection of the amenity of future occupiers of the site, to accord with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

10. 17/01047/HOU - 80 MAIN STREET, DESFORD

Application for removal of a section of wall to create a vehicular access and erection of gates.

Late items:

Introduction:-

An additional condition is required to ensure the integrity of the wall adjoining Little Lane.

Further clarity is provided over the concerns raised in relation to a tree on the site.

Appraisal:-

Design and impact upon the character of the area

The existing wall along Little Lane in which the proposed access is to be constructed contributes positively to the character and appearance of the conservation area. Due to the age and maintenance of the wall it has deteriorated in areas. To ensure that the works to the wall are undertaken appropriately, a Construction Method Statement should be secured through a planning condition. The CMS would require the applicant to detail how the works will be undertaken, whether any machinery will be used, the extent of materials to be removed and rebuilt etc. Planning permission is required for the removal or partial removal of a wall within a conservation area. The CMS would control the extent of the works and ensure that no materials are unnecessarily removed. Any works which are not detailed in the CMS would be considered unauthorised and could be subject to enforcement action.

Other matters

Concern has been raised regarding the removal of a tree from the northern end of the rear garden of the application site which would be used for the hardstanding which serves the access. No consent was gained for the removal of the tree which is protected due to the siting within the conservation area and therefore these works are unauthorised. The matter has previously considered by Planning Enforcement and it was considered that the siting of the tree within the rear garden and the limited size of the tree resulted in the tree being largely screened by the existing wall and made a limited contribution to the conservation area. Therefore, it was considered not to be expedient to enforce against the unauthorised works and no replacement planting or other remedial works will be required which the proposed works could impede.

Recommendation:- Approve subject to conditions as set out in paragraph 11.3 of the case officer's committee report and the following condition:

4. Prior to commencement of any development, including demolition, hereby permitted, a Construction Method Statement shall be submitted and approved by the Local Planning Authority. All works shall be carried out in accordance with the approved Construction Method Statement. Any works not detailed within the Construction Method Statement shall be considered to be unauthorised.

Reason: To ensure the integrity of the wall adjoining Little Lane and its continuing positive contribution to the conservation area to accord with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies DPD.