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Hinckley & Bosworth
Borough Council

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

Date: 07 March 2018

To: Members of the Planning Committee

Mr R Ward (Chairman)	Mrs J Kirby
Mr BE Sutton (Vice-Chairman)	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, 6 MARCH 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. 17/01043/HYB - LAND EAST OF HINCKLEY ISLAND HOTEL, WATLING STREET, BURBAGE

Hybrid application.

'Late items:'

Site:- Land East Of, Hinckley Island Hotel, Watling Street, Burbage

Proposal:- Full planning application for the erection of a 29,563 sqm storage and distribution facility (Use Class B8), including ancillary offices, salt barn, tyre and vehicle storage unit, vehicle maintenance unit, canteen and security office, service yard and HGV parking, car parking, landscaping, and other associated development, a 49,470 sqm industrial/ storage and distribution unit (Use Class B1c/B2/B8) including ancillary offices, service yard and HGV parking, car parking, landscaping, and other associated development, creation of a new access from the A5, internal spine road and associated infrastructure, including earthworks, a new substation access from the A5, and temporary construction access from the A5; and

Outline application with all matters reserved except for access, for up to 42,000 sqm of Use Class B1c, B2 and B8 floorspace, including ancillary offices, service yards and HGV parking, car parking, landscaping, and other associated development, located at land east of Hinckley Island Hotel, Watling Street, Burbage, Hinckley

Consultation:-

Additional comments have been received following the submission of revised plans; these are summarised below.

Two further objections have been received from members of the public:

- 1) Revised plans do not address the problems
- 2) Drawing referred to is an existing layout

Jury's Inn Hotel re-iterate their concerns to the proposal:

- 1) Noise and disturbance will increase particularly in the critical early morning hours when traffic is at the moment light
- 2) Hotel rooms are not used 'sporadically' they run at 85% occupancy throughout the year
- 3) Note that HBBC Environmental Health has concerns re noise conditions
- 4) More consideration should be given to the ways in which noise can be mitigated and detailed conditions imposed to ensure continued commercial viability of the hotel
- 5) The Hotel employs 180 people who make a significant contribution to the economy of the Borough; insufficient weight has been given to the determination of the application.

Burbage Parish Council make the following comments:

- 1) Discussion ensued on the pedestrian/cycle route as set out within the plans and it was ascertained that this will form part of the plans for the site

2) No other objections raised as amendments are changes to be made to the access and egress of the site for both transport and public travelling to and from the site

HBBC Environmental Health has no further comments

HBBC Waste reiterates a previously recommended condition

Historic England has no further comments

Natural England has no further comments

S106 Monitoring Officer has no further comments

LCC Ecology note that they are pleased to see the revised parameters plan clearly shows the area where landscaping will be agreed at a later stage, in association with the reserved matters application.

Updated consultation responses have been received from LCC Archaeology and the Lead Local Flood Authority; these are summarised below.

LCC Archaeology do not object subject to provision for a programme of archaeological mitigation (targeted investigation and recording), to take place in advance of development and to be secured by condition on any planning approval

Lead Local Flood Authority - Updated plans have been submitted which do not identify change to the proposed surface water drainage scheme and therefore, the previous LLFA response still stands in full.

S106 Contributions

Draft Heads of Terms have been received from the application; which provide the following updates on the obligations to be secured:

Provision of a Bus service (which may include an extension to the existing no8 bus service) and a new bus stop to service the site. This will be in accordance with an agreed timetable and specification. Unless otherwise agreed with the County Council and subject to the cap, the bus service will be provided on occupation of 100,000 square feet of the development and for 5 years thereafter. The cost of providing the bus service, bus stop and associated infrastructure will be capped at £250,000 in total.

Unless otherwise agreed with the County Council and subject to the cap, a bus pass will be offered to everyone employed within 3 months of first Occupation of each individual unit. The cost of doing so is to be capped at £215,000 (with £215,000 being 25% of 2,395 projected employees at £360 per bus pass).

Payment of a Highways Contribution of £150,000 to the County Council (with £150,000 representing the amount requested by the County Council).

The provision of travel packs to all employees of the development on first occupation of the relevant part of the site, with the cost of doing so to be capped at £125,000 (with £125,000 being the cost of providing travel packs for 100% of the projected workforce at the site).

The provision of a travel plan, including the appointment of a travel plan co-ordinator and payment of a travel plan monitoring fee of £11,337.50 (figure provided by the County Council).

Commitment to a local employment and skills strategy during the construction of the buildings on site.

Officer Comments:-

In reference to the response received from the Jury's Inn Hotel; noise and disturbance have been assessed as part of the application process by HBBC Environmental Health Officer who is satisfied with the proposed development subject to the imposition of detailed conditions which will ensure that noise impact can be mitigated. The reference to 'sporadic' use of the hotel is not in terms of the level of occupation of the hotel; but to the fact that occupants change from night to night.

Recommendation:- Approve subject to the prior completion of a S106 agreement as set out in paragraph 11.1 of the case officer's committee report and amended in line with the above figures set out within the Heads of Terms; and the conditions as set out in paragraph 11.4 of the report and as set out below:-

Condition: No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority.

Reason:- To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to ensure compliance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

Condition:- No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.

Reason:- To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase to ensure compliance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

Condition:- No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the FRA has been updated accordingly to reflect this in the drainage strategy.

Reason:- To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy and to ensure compliance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

Additional Note to Applicant:-

The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a

signed contract or similar legal agreement between themselves and their approved archaeological contractor.

The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.

The scheme shall include the utilisation of holding sustainable drainage (SuDS) techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features.

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), long sections and full model scenarios for the 1 in 1, 1 in 30 and 1 in 100 year plus climate change return periods.

10. 17/01240/OUT - TRANSCO NTS, COVENTRY ROAD, HINCKLEY

Outline application for residential development for up to 42 dwellings (Access only) and demolition of the existing building.

'Late items:'

Site:- Transco Nts, Coventry Road, Hinckley

Proposal:- Outline application for residential development for up to 42 dwellings (Access only) and demolition of the existing building

Introduction:-

An amended plan relating to the proposed access into the proposed development site from Short Way, Hinckley. The amended plan alters the proposed kerb radii from 7.5 metres to 6 metres.

Appraisal:-

Impact upon Highway safety

The amended plan relating to the access has been considered by Leicestershire County Council (Highways), and have advised that the proposed access is in accordance with the 6C's Design Guidance and would be acceptable for adoption. The proposed plan would remove the need for condition 10, which requests a radii of 6 metres. Condition 3 to be reworded to reflect to updated and agreed access plan.

Drainage

Following advice and further clarification from the Lead Local Flood Authority and Environmental Health Drainage, a further condition is necessary and required in relation to the potential connection to an unadopted sewer.

Infrastructure Contributions

Sustainable Travel

In order to encourage sustainable travel to and from the site, achieve modal shift targets and reduce car use, Leicestershire County Council (Highways) have requested:

- Welcome packs to be provided to inform new residents from first occupation what sustainable travel choices are in the surrounding area. To be prepared by the developer as part of the home briefing packs. Delivery to be secured through Section 106.

- Six month bus passes to encourage new residents to use bus services, to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car. Two bus passes should be provided per dwelling at £360 per pass.

- A contribution of £12,000 towards Real Time Information (RTI) at the 2 nearest bus stops, to assist in improving and providing attractive public transport choices. It is considered that the request is directly, fairly and reasonable related in scale and kind to the development proposed.

- A contribution of £9,125.00 towards improvements identified in the Hinckley Centre Strategy, including extending the off-road cycle path into Hinckley Town Centre, to encourage new residents to establish changes in travel behaviour from first occupation and promote usage of sustainable travel modes other than the car and therefore mitigate against the impact of additional traffic on the highway network. Coventry Road is an already busy radial route into Hinckley Town Centre, and as such any additional traffic would adversely impact this and therefore schemes which can help modal shift should be encouraged.

CIL compliance

The request to pay the contributions must be considered alongside guidance contained within the Community Infrastructure Levy Regulations 2010 (CIL). The CIL Regulations confirm that where developer contributions are requested they need to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed. This assessment has been undertaken and it is considered that all of the contribution requested, as set above, meet the tests and therefore are considered to be CIL compliant.

Recommendation

Grant planning permission subject to:

- The prior completion of a S106 agreement to secure the following obligations:
 - Highways – Travel Packs to be provided by the developer as part of the home briefing packs, 6 month bus passes, two per dwelling (average £360.00 per pass), Real Time Information at the two nearest bus stops at £6,000 per stop. £9,125.00 towards improvements identified in the Hinckley Centre Strategy, including extending the off-road cycle path into Hinckley Town Centre.
 - 20% affordable housing units subject to a reduction for vacant building credit
 - Education Based on the DFE cost multiplier as follows:-
 - Primary School £12,099.01 per pupil at a pupil ratio of 0.24 per dwelling
 - Health - £23,280.48
 - Public Open space –
 - Equipped Children's Play Space 3.6m2 per dwelling, Off site provision per square metre £181.93 and Maintenance £87.80
 - Casual/informal Play spaces 16.8m2 per dwelling, Off site provision per square metre £4.44 and £5.40
 - Outdoor sports provision 38.4m2 per dwelling, Off site provision per square metre £9.05 and maintenance £4.30

- Accessibility and natural green space 40m² per dwelling, off site provision per square metre £4.09 and maintenance £7.10
- Planning conditions outlined at the end of this report.

That the Planning Manager, Development Management be given powers to determine the final detail of planning conditions.

That the Planning Manager, Development Management be given delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods based on the contributions agreed by the committee.

Replace condition 3 with the following:

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Location plan Dwg No.2903-152 Rev B, Tree Removal and Protection Plan Dwg No.DLA1813.L.03 received by the Local Planning Authority on the 4 December 2017 and Highway Layout Dwg No. REDW-3254-401 received by the Local Planning Authority on the 20 February 2018.

Reason: To define the permission and ensure satisfactory impact of the development to accord with Policies DM1 and DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Delete Condition 10.

Reword condition 11

11. A scheme for a proposed pedestrian link between the application site and Clarendon Park along the western edge of the site shall be submitted and approved by the Local Planning Authority as part of any subsequent reserved matters application pursuant of this outline planning permission. 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 mitigate the impact of the development and providing and promoting sustainable form of development to accord with DM17 of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 32 of the National Planning Policy Framework 2012.

Additional condition:

16. No development shall commence until details demonstrating that connection of the proposed surface water drainage system to the downstream receptor would have no impact to the wider drainage system/catchment, are submitted to and approved in writing by the Local Planning Authority. The agreed details shall be carried out in accordance with the details.

Reason: To prevent flooding by ensuring the satisfactory and sustainable disposal of surface water from the site, to accord with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. 18/00024/FUL - 7 UTAH CLOSE, HINCKLEY

Application for erection of a detached log cabin for a footcare and beauty salon business (retrospective) (resubmission of 17/01004/FUL).

'Late items.'

Site:- 7 Utah Close, Hinckley

Proposal:- Erection of a detached log cabin for a footcare and beauty salon business (retrospective) (resubmission of 17/01004/FUL)

Appraisal:-

Following consultation with local members, comments were raised as to whether the cabin could be re-painted and sited further back into the site. The applicant has advised that the cabin could be painted to match the house but is unwilling to move the cabin back into the site. It is therefore considered that due to the siting adjacent the front elevation of the existing property, the proposed cabin would be highly prominent within the streetscene.

14. 17/01292/FUL - 38 ALMEYS LANE, EARL SHILTON

Application for erection of one detached bungalow (resubmission of 17/00636/FUL).

'Late items.'

Site:- 38 Almeys Lane, Earl Shilton

Proposal:- Erection of one detached bungalow (resubmission of 17/00636/FUL)

Consultations:-

One further letter of support has been received raising the following points:

- 1) Site is located close to services
- 2) Enhances the look of the area and the view along the street
- 3) Removal and improvement of existing boundary treatment
- 4) Design is consistent with the surrounding area
- 5) Garden size is manageable

Appraisal:-

All comments raised in the additional representation have already been assessed as part of the main report.