

Public Document Pack



Hinckley & Bosworth
Borough Council

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

Date: 20 March 2019

To: Members of the Planning Committee

Mr R Ward (Chairman)	Mr C Ladkin
Mr BE Sutton (Vice-Chairman)	Mr KWP Lynch
Mr PS Bessant	Mrs J Richards
Mr DC Bill MBE	Mr RB Roberts
Mrs MA Cook	Mrs H Smith
Mr WJ Crooks	Mrs MJ Surtees
Mr MA Hall	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, 19 MARCH 2019** at **6.30 pm**.

Yours sincerely

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

Rebecca Owen
Democratic Services Manager

SUPPLEMENTARY AGENDA

7. **18/01237/FUL - OLD LEISURE CENTRE, COVENTRY ROAD, HINCKLEY**

Application for erection of 17 houses and 89 apartments within two apartment blocks, including the provision of access, open space and associated infrastructure.

'Late items:'

Introduction:-

Adjustments to the contributions for the Section 106 agreement have been made due to the removal of one dwelling from the scheme. Leicestershire County Council (Highways) have also requested an additional Traffic Regulation Order (TRO) along Marchant Road as mitigation.

An amended materials schedule has also been received to clarify where the materials will be on the dwellings.

Consultations:-

An additional neighbour letter has been received objecting to the scheme for the following reasons:

- Loss of the car park
- Impact upon highway safety (vehicular and pedestrian)
- Increase in congestion along Coventry Road

A letter of objection has been received from Councillor Bray his comments were incorporated into the Committee Report within Section 5 – Publicity of the Committee Report.

Appraisal:-

Infrastructure contributions

Play and Open Space

Due to the reduction of on site dwellings from 107 to 106 the play and open space contributions have been adjusted and the overall contributions towards on site maintenance and off site provision and maintenance of open space is £220,870.05. The breakdown of this figure for each typology is shown in the table below:

	On site maintenance (10 years)	Off site provision	Off site maintenance (20 years)	Total
Equipped Children's Play Space	£30,203.20	£38,132.53	£18,402.88	£86,738.61
Casual/Informal Play Spaces	£32,346.00	/	/	£32,346.00
Outdoor Sports Provision	/	£36,837.12	£17,502.72	£54,339.84

Accessibility Natural Green Space	/	£17,341.60	£30,104.00	£47,445.60
			Overall Total	£220,870.05

Education

After re-consulting Leicestershire County Council (Education) on the loss of one dwelling they have reviewed the educational need in the area. Reviewing the places available it is concluded that there is a deficit of 30 pupil places within the primary school sector within a 2 mile walking distance which is more of a deficit than when the original contribution was calculated. Therefore a contribution towards the accommodation of capacity issues caused by the proposed development is requested. The amended primary school figure is £101,414.40.

An additional contribution is now being sought for secondary education or post-16 education as it is identified there is now a deficit of places for these educational facilities. There is an overall deficit in this sector after including all schools within a three mile walking distance of the development of 10 pupil places. Therefore a contribution towards the accommodation of capacity issues caused by the proposed development is requested. The contribution is calculated by multiplying the number of deficit places created by the development (3.99) by the DFE cost multiplier (£17,876.17) which equals £71,325.92.

The overall education contribution figure is £172,740.32.

The amended figures are considered necessary and directly related and fairly and reasonably related in scale and kind to the development proposed and therefore meets the CIL tests.

Libraries

The loss of one dwelling has reduced the contribution to £2,510. The methodology for this figure remains unchanged from the committee report. The amended figure is considered to remain CIL compliant.

Civic Amenity

The loss of one dwelling has reduced the contribution for civic amenities to £5,250. The methodology for this figure remains unchanged from the committee report. The amended figure is considered to remain CIL compliant.

Health

The reduction of one dwelling reduced the potential population, calculated by the NHS, by 2 persons so therefore will not make a significant change to the impact felt by the receiving general practices. Therefore healthcare contributions will still be sought to increase primary care services. Due to the loss of one dwelling this figure has been reduced to £34,007.76. The amended figure is considered to remain CIL compliant.

Impact upon Highway safety

Further to the consultation response and requests from Leicestershire County Council (Highways) reported in the committee report; an additional contribution of £5,000 towards a Traffic Regulation Order is requested by LCC Highways. This additional contribution is requested to ensure the weight restriction from Trinity Vicarage Road is extended to Marchant Road to avoid larger vehicles using the development as a through route. The amended figures are considered necessary and directly related and fairly and reasonably related in scale and kind to the development proposed and therefore meets the CIL tests.

This additional contribution is considered necessary and directly related and fairly and reasonably related in scale and kind to the development proposed and therefore meets the CIL tests.

The applicant has been informed of these changes and has confirmed in writing that there are no objections to the new figures and on this basis the site is viable.

Other matters

The applicant has submitted an amended materials schedule, which does not alter the materials identified previously but provides further clarification for all materials for each building. The conditions identifying this schedule need to be updated, however this clarification is considered acceptable and does not alter the assessment of the overall scheme made in the original committee report.

The applicant has confirmed that all pre-commencement conditions are agreed.

Recommendation:-

Grant planning permission subject to:

- The prior completion of a S106 agreement to secure the following obligations:
 - Health - £34,007.76
 - Education - £172,740.32
 - Civic Amenity - £5,250.00
 - Libraries - £2,510.00
 - Highways – £20,000 towards three Traffic Regulation Orders, travel packs for each dwelling, two six month bus passes per dwelling, appointment of travel plan co-ordination and a travel plan monitoring fee of £6,000
 - Town Centre Improvements - £170,000.00
 - Public Open Space - £220,870.05
- Planning conditions outlined at the end of this report.

That the Interim Head of Planning be given powers to determine the final detail of planning conditions.

That the Interim Head of Planning be given delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

Amended Conditions:

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
 - Swept Path Access and Details (scale 1:250) Drg No: A3907-05E
 - Tree survey Report Rev C
received by the Local Planning Authority on 28 February 2019.
 - Hinckley Square Proposed Plans, Elevations & Sections (scale 1:100) Drg No: G4D-0003-AA- 000, 001, 100 -103, 200 – 202, 300 Rev A
 - Trinity Houses Proposed Plans, Elevations and Sections (scale 1:100) Drg No: G4D-0003-AB-000, 100 – 104, 200, 201, 300 Rev A
 - 2 Bed Semi Proposed Plans, Elevations Plots 1, 2 (scale 1:50) Drg No: G4D-0003-AC-100,200,400,500 Rev A
 - 2 Bed Terrace Proposed Plans, Elevations Plots 3, 4, 5 (scale 1:50) Drg No: G4D-0003-AD-100, 101, 102, 103 Rev A

- 3 Bed Type 1 Proposed Plans, Elevations Plots 7, 8, 14, 15 (scale 1:50) Drg No: G4D-0003-AE-100, 200, 400, 500 Rev A
- 3 Bed Semi Type 2 Plots 9, 10 (scale 1:50) Drg No: G4D-0003-AI-100, 200, 400, 500
- 4 Bed Semi Detached Plots 11, 12, 16, 17 (scale 1:50) Drg No: G4D-0003-AG-100, 200, 400, 500 Rev A
- 4 Bed L Shape Proposed Plans, Elevations (scale 1:50) Drg No: G4D-0003-AH-100, 200, 400, 500
- 4 Bed Detached Plot 13 (scale 1:50) Drg No: G4D-0003-AJ-100, 200, 400, 500
- Bins Storage Location Plan (scale 1:500) Drg No: G4D-0003-A-007 Rev: C
- Schedule of Accommodation
- Existing and Proposed Site Section (scale 1:500) Drg No: G4D-0003-A-005 Rev: C
- Landscape Master Plan (scale 1:250) Drg No: A3907-03D
- Proposed Hardstanding (scale 1:500) Drg No: G4D-0003-A-006 Rev: C
- Site Location Plan (scale 1:1250) Drg No: G4D-0003-A-001 Rev: B
received by the Local Planning Authority on 4 March 2019.
- Proposed Site Plan (scale 1:500) Drg No: G4D-0003-A-003 Rev: C
- Proposed Site Ground Level and Parking Plan (scale 1:500) Drg No: G4D-0003-A-004 Rev: C
received by the Local Planning Authority on 5 March 2019.
- Proposed Play Area Plan (scale 1:50) Drg No: G4D-0003-A-009 Rev: A
- Intelligent Glass Switchable Film Technical Guide
- Boundary Treatments Plan (scale 1:500) Drg No: G4D-0003-A-008 Rev: C
received by the Local Planning Authority on 8 March 2019.
- Schedule of Materials Rev B
received by the Local Planning Authority on 13 March 2019.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the proposed extension and alteration shall accord with the approved Schedule of Materials received on 13 March 2019.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document (2016).

8. 18/01266/FUL - BARRACK HOUSE, THE BARRACKS, BARWELL

Application for part demolition and conversion of existing factory to 4 apartments and erection of 4 new houses and 9 new apartments.

'Late items:'

Appraisal:-

Affordable Housing and Infrastructure Contributions

Lambert Smith Hampton have undertaken an independent valuation analysis of the

financial viability assessment submitted to support the proposed scheme. Their report concludes that the scheme cannot support any affordable housing or Section 106 contributions and that such an obligation would prejudice the delivery of the proposed 17 residential units.

As a result and in order to enable the site to come forward, the recommendation has been amended to reflect the outcome of the independent valuation analysis of the scheme and the completion of a section 106 agreement to secure affordable housing and infrastructure contributions is no longer required.

Recommendation:-

Amend Recommendation to:

11. Recommendations

11.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

11.2. That the Interim Head of Planning be given powers to determine the final detail of planning conditions.

9. 18/01278/FUL - 131 LUTTERWORTH ROAD, BURBAGE

Application for erection of detached dwelling and a new vehicular access.

'Late items:'

Consultations:-

In response to the submitted amended plan, Burbage Parish Council maintains their objection on the grounds that it seeks to alter a previously approved scheme, which benefitted from an expansion of the settlement boundary and which explicitly allowed for three properties to be accessed by one, single shared entrance/exit point. The current application shows a second vehicular access, contrary to the previously-agreed arrangements and they consider that more than one access point on to Lutterworth Road is not necessary to serve this proposed development.

The four separate objectors also repeat their previous objections as included in the main agenda report.

Appraisal:-

Notwithstanding the objections received, the green buffer planting strip along the south east boundary of the site is included on the submitted plan to screen and enhance the visual appearance of the development when approaching the village along Lutterworth Road. The Local Highway Authority do not object to the creation of a new separate access to serve the dwelling proposed on highway or pedestrian safety grounds subject to conditions. It is not unreasonable for a detached dwelling to have a separate point of vehicular access and this would not be uncharacteristic of access arrangements to existing established dwellings in the vicinity.

The recommendation to Planning Committee remains unchanged.

11. 18/00118/FUL - 51 MAIN STREET, DESFORD

Application for erection of 4 dwellings (Revised scheme).

'Late items:'

Appraisal:-

Impact upon Archaeology

Policy DM11 and DM12 of the adopted SADMP seeks to ensure that development proposals shall protect, conserve and enhance the historic environment.

The application site is situated within an area of significant archaeological interest as identified within the Leicestershire and Rutland Historic Record. The site is located within the historic core of Desford, close to the medieval Church of St. Martin. The church would have been a focus for settlement and activity during the medieval and post medieval periods, so evidence of this may survive on the site. In the 1960s two Roman pottery kilns, which were manufacturing pottery during the 2nd century AD, were discovered during building work c.30m to the south of the application site. Finds of Roman pottery have also been made within the locality of the area and is it possible that archaeological remains of this date are present within the application site. Early Ordnance Survey mapping shows that, although parts of the site have been built on during the 19th and 20th Centuries, large areas have remained undeveloped and therefore any archaeological remains present are likely to be preserved in situ. There is therefore potential for the presence of archaeological remains within the application area, likely to be affected by the proposal.

Leicestershire County Council (Archaeology) do not object to the proposal, subject to the imposition of conditions, which relates to the submission of a Written Scheme of investigation informed by an initial stage of trial trenching is submitted and approved.

Recommendation:-

Grant planning permission subject to:

- a) Planning conditions outlined at the end of this report.

That the Interim Head of Planning be given powers to determine the final detail of planning conditions.

Conditions:-

Reword and replace condition 4 with the following condition:-

- 4. No development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels, in addition to the submission of a proposed 3D pedestrian perspective plan from Main Street has been submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with approved proposed ground levels and finished floor levels.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity to accord with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

Additional new condition:-

14. No demolition/development shall take place/commence until a written scheme of investigation (WSI), informed by an initial stage of trial trenching, has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policies DM11 and DM13 of the adopted SADMP and section 12 of the National Planning Policy Framework (2012).