

Date: 12 November 2007

To: All Members of the Planning Committee

Mr P Hall (Chairman)

Mr R Mayne (Vice-Chairman)

Mrs M Aldridge

Mr JG Bannister

Mr JC Bown

Mr MB Cartwright

Mr JD Cort

Mr WJ Crooks

Mr DM Gould

Mrs A Hall

Mr DW Inman

Mr CG Joyce

Mr T McClure

Mr K Nichols

Mr LJP O'Shea

Mrs J Richards

Mr BE Sutton

Copy to all other Members of the Council

(other recipients for information)

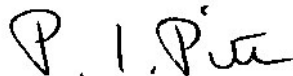
Dear Councillor

There will be a meeting of the **PLANNING COMMITTEE** in the Council Chamber, Council Offices, Hinckley on **TUESDAY, 20 NOVEMBER 2007** at **6.30pm**, and your attendance is required.

The agenda for the meeting is set out overleaf.

There will be a pre-meeting at 6.00pm in the Members' Room to inform Members of any late items.

Yours sincerely



Pat Pitt (Mrs)
Corporate Governance Officer

PLANNING COMMITTEE
20 NOVEMBER 2007
A G E N D A

1. APOLOGIES AND SUBSTITUTIONS
- RESOLVED 2. MINUTES
To confirm the minutes of the meeting held on 23 October 2007 attached marked 'P43'.
3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES
To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting.
4. DECLARATIONS OF INTEREST
To receive verbally from members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the Agenda.**
5. QUESTIONS AND PETITIONS
To hear any questions and to receive any petitions in accordance with Council Procedure Rules 10 and 11.
- RESOLVED 6. TOWN & COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED
Schedule of planning applications attached marked 'P44' (pages 1 – 41).
- RESOLVED 7. APPEALS LODGED AND DETERMINED
Report of Head of Culture & Development attached marked 'P45' (pages 42 – 44).
- RESOLVED 8. APPEALS PROGRESS
Report of Head of Culture & Development attached marked 'P46' (pages 45 – 47).
- RESOLVED 9. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

NOTE: AGENDA ITEMS AGAINST WHICH THE WORD "RESOLVED" APPEARS ARE MATTERS WHICH ARE DELEGATED TO THE COMMITTEE FOR A DECISION. OTHER MATTERS ON THIS AGENDA WILL BE THE SUBJECT OF RECOMMENDATIONS TO COUNCIL.

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
PLANNING COMMITTEE
23 OCTOBER 2007 AT 6.30 PM

PRESENT: MR R MAYNE - VICE-CHAIRMAN (in the Chair)

Mrs M Aldridge, Mr JG Bannister, Mr JC Bown, Mr MB Cartwright, Mr DM Gould, Mr DW Inman, Mr CG Joyce, Mr T McClure, Mr K Morrell, Mr K Nichols, Mr LJP O'Shea and Mrs J Richards.

In accordance with Council Procedure Rule 4.4 Mr PR Batty also attended the meeting.

Officers in attendance: Ms K Barlow, Mr A Bottomley, Mr P Cash, Ms J. Cooper, Mrs T Darke, Ms T Miller, Mr S Payne and Mrs PI Pitt.

265 **APPOINTMENT OF VICE-CHAIRMAN**

It was moved by Mr Joyce, seconded by Mr Nichols and

RESOLVED – Mr Bannister be appointed Vice-Chairman for this meeting only.

266 **APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Mr JD Cort, Mr WJ Crooks, Mrs A and Mr PAS Hall and Mr BE Sutton – the latter being substituted by Mr Morrell in accordance with Council Procedure Rule 4.3.

267 **MINUTES (P35)**

On the motion of Mr Cartwright, seconded by Mr Nichols it was

RESOLVED – the minutes of the meeting held on 25 September 2007 be confirmed and signed by the Chairman.

268 **DECLARATIONS OF INTEREST**

Mr Bown declared a prejudicial interest in planning application number 07/00673/REM on the grounds that he belonged to an organisation which could benefit financially from the sale of the land in question.

269 **SAVED LOCAL PLAN POLICIES (P38)**

The Committee considered a report of the Deputy Chief Executive on the Secretary of State's Direction in relation to the above. A brief discussion arose with regard to Members' involvement in the Local Development Framework process, whereby Members were urged to either attend meetings in person or to submit any comments to officers in writing.

It was moved by Mr Nichols, seconded by Mr O'Shea and

RESOLVED – the following be noted:

- (i) the table of Local Plan Policies (Appendix 1 to the report of the Deputy Chief Executive) that had been saved until replaced by new policies in the Local Development Framework in accordance with the Planning and Compulsory Purchase Act 2004; and
- (ii) the table of Local Plan Policies that have now expired, (Appendix 2) and as of 27 September 2007 are no longer part of the Hinckley and Bosworth Local Plan, in line with paragraph 1(2a) Schedule 8 of the 2004 Planning and Compulsory Purchase Act.

270 LOCAL DEVELOPMENT FRAMEWORK PLAY AND OPEN SPACE SUPPLEMENTARY PLANNING DOCUMENT (SPD) – CONSULTATION (P42)

Updated information was presented to Members at the meeting regarding the proposed period of consultation.

Having been advised of the need to consult upon this SPD and the Sustainability Appraisal in accordance with the Town and Country Planning Regulations (Local Development) (England) 2004 and the Local Development Scheme it was moved by Mr Nichols, seconded by Mrs Aldridge and

RESOLVED –

- (i) this SPD be endorsed and its publication for consultation purposes be agreed; and
- (ii) the undertaking of a revised six-week period of consultation on the Play and Open Space SPD and Sustainability Appraisal from 31 October until 12 December 2007 inclusive be approved.

271 TOWN AND COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED (P36)

The Committee considered a schedule of planning applications, together with a list of late items, and the recommendations of the Head of Culture and Development. It was moved by Mrs Aldridge, and seconded by Mr O'Shea that the recommendations of the Head of Culture and Development contained in the schedule submitted be approved.

Mr Bown, having declared a prejudicial interest in planning application number 07/00673/REM, left the meeting at 6.50pm whilst this was considered, returning at 6.55pm.

RESOLVED – the recommendations of the Head of Culture and Development, as set out in the schedule submitted and amended by the list of late items be approved.

272 SUGGESTED CONDITIONS FOR NAILSTONE COLLIERY PLANNING APPLICATION (P37)

Further to minute number 37(a) of 5 December 2006 Members' approval was sought to proposed conditions to be submitted to the Planning Inquiry should the Planning Inspector approve this application. On the motion of Mr O'Shea, seconded by Mrs Aldridge it was

RESOLVED – the conditions set out in the report of the Head of Culture and Development be approved.

273 APPEALS LODGED AND DETERMINED (P39)

The Committee having been presented with details of these it was moved by Mr O'Shea, seconded by Mrs Aldridge and

RESOLVED – the report be noted.

274 APPEALS – PROGRESS (P40)

A schedule having been submitted indicating the stages that various appeals against planning decisions had reached it was moved by Mr Aldridge, seconded by Mr Bannister and

RESOLVED – the report be noted.

275 MATTER FROM WHICH THE PUBLIC MAY BE EXCLUDED

It was moved by Mr Nichols, seconded by Mr Inman and

RESOLVED – in accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the remaining item of business on the ground that it involves the likely disclosure of exempt information as defined in paragraphs 2 and 10 of Part I of Schedule 12A of that Act.

276 PLANNING ENFORCEMENT ACTION (P41)

Circulated at the meeting was an amended version of current investigations for the period 1 August – 30 September 2007. Information was provided by Members at the meeting relating to certain properties in Earl Shilton and land ownership and the Head of Culture and Development undertook to address this, following which it was moved by Mrs Aldridge, seconded by Mr O'Shea and

RESOLVED – the report of the Head of Culture and Development be noted.

(The meeting closed at 7.50pm.)

REPORT P44

PLANNING COMMITTEE

20 November 2007

RECOMMENDATIONS OF HEAD OF CULTURE & DEVELOPMENT
ON APPLICATIONS FOR DETERMINATION BY
THE PLANNING COMMITTEE

BACKGROUND PAPERS

Background papers used in the preparation of these reports are filed in the relevant application files, unless otherwise stated

Item: 01
Reference: 07/01021/FUL
Applicant: Sycamore Developments & Cawston Homes Ltd
Location: 3 Cleveland Road Hinckley Leicestershire LE10 0AJ
Proposal: DEMOLITION OF EXISTING BUILDING AND ERECTION OF 14 NO APARTMENTS WITH ASSOCIATED WORKS

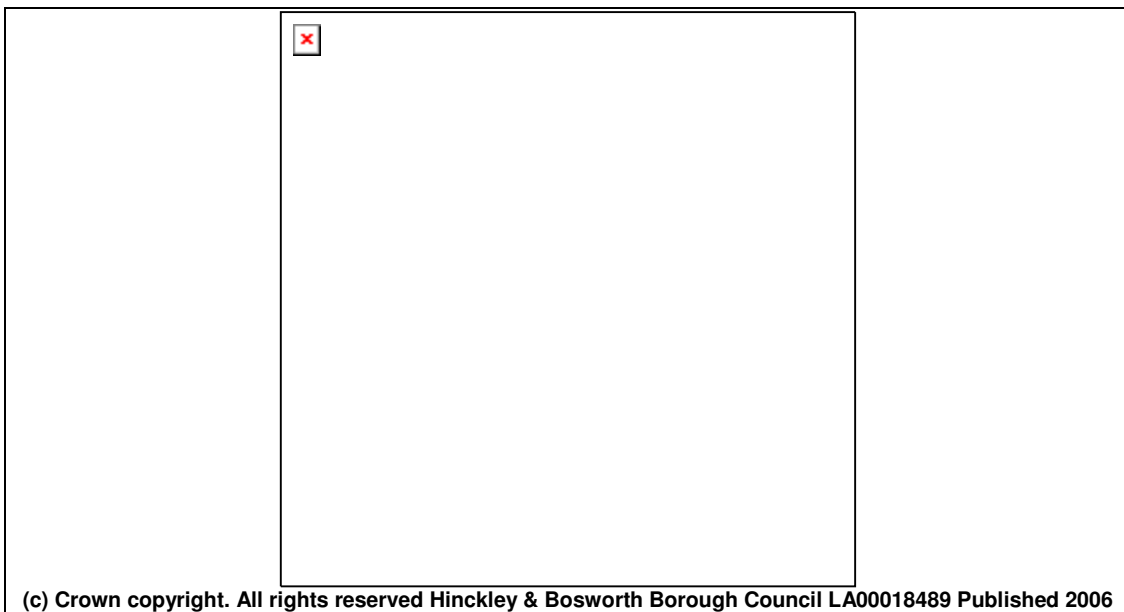
Introduction:-

This is a full application for the erection of 14 two-bedroom apartments on the site of 3 Cleveland Road, Hinckley. The site extends to 0.16 hectares and is currently occupied by a single two-storey private residence that is to be demolished. The site is bounded by residential properties and provides a frontage onto Cleveland Road.

The proposal includes a main block of 12 units with a further 2 units created in a detached wing at the rear of the development. A new access is created between the proposed development and 5 Cleveland Road with the formation of a parking area to the rear. The design and access statement submitted as part of the application states that the proposal has been designed in response to the site opportunities and constraints as well as taking into account the existing topography and character of surrounding properties.

History:-

00/00055/COU	Change of use to residential care home	Approved	02.03.00
00/00409/FUL	Extension to dwelling & erection of garage & store	Approved	13.06.00



Consultations:-

No objection has been received subject to standard conditions from:-

Director of Highways, Transportation and Waste Management (Highways)
Severn Trent Water Limited
The Borough Council's Land Drainage Consultant
The Environment Agency
The Director of Environment and Heritage Services (Archaeology and Ecology)
Head of Health and Environment Services.

Leicestershire Constabulary Crime Reduction Officer raises no objection to the proposal other than noting appropriate lighting should be provided and the inclusion of an access gate to enhance security to the parking area.

Site and press notices have been issued and neighbours notified, 12 letters of objection have been received and a petition containing 39 signatures raising the following concerns:-

- a) out of keeping with existing street scene, detrimental to visual amenity
- b) existing house contributes to established street scene and should be retained
- c) sets a precedent for other similar developments and further loss of large individual properties
- d) increased traffic movements has implications for highway safety
- e) will lead to an increased incidence of flooding to gardens rear of Cleveland Road
- f) devaluation of property prices
- g) overlooking and loss of privacy
- h) loss of trees and insufficient landscaping
- i) increased noise and light pollution and disturbance during, and post construction
- j) over supply of flats in town centre and loss of mixed communities
- k) will create increased congestion and on-street parking problems
- l) density too high in relation to existing properties
- m) position of new access inappropriate
- n) insufficient parking spaces to serve development.

Development Plan Policies:-

Central Government Guidance

Planning Policy Statement 1: Delivering Sustainable Development (PPS1) refers to the delivery of sustainable development through the planning system. It advises that planning policies should protect and enhance the environment, promote high quality design and reinforce local distinctiveness.

Planning Policy Statement 3: Housing (PPS3) advises local planning authorities to promote developments that continue a mix of land uses and makes the most efficient use of land, particularly redeveloped land. It advises that local planning authorities should reject poor design and that applicants for housing development should be able to demonstrate how they have taken account of the need for good layout and design guidance set out in the Planning Policy Statements.

The Structure Plan

The Leicestershire, Leicester and Rutland Structure Plan 1996-2016 (adopted 7th March 2005) states in Strategy Policy 10 'Good Design' that good design will be promoted by ensuring that development provides for an efficient use of land in a manner which satisfactorily acknowledges environmental and amenity interests and protects or enhances the form, character and distinctiveness of the built environment.

Strategy Policy 11 'Developer Contributions' of the adopted Structure Plan ensures that developers meet the requirements and costs of relevant infrastructure to support development.

The Local Plan

The application site is within the settlement boundary of Hinckley.

Policy RES5 of the Local Plan states that planning permission will only be granted for new residential development on sites not specifically allocated in the Local Plan for housing provided that they lie within an urban area and their siting, design and layout does not conflict with the relevant plan policies.

Policy BE1 of the Local Plan states that the Borough Council will seek to ensure a high standard of design in order to safeguard and enhance the existing environment and that planning permission will be granted where the development complements or enhances the character of the surrounding area with regard to design, materials and architectural features, and is not prejudicial to the comprehensive development of a larger area.

Policy NE12 of the Local Plan states that proposals for development should take into account the existing landscaping features of the site and should make provision for further landscaping where appropriate. If existing landscape features cannot be retained then a scheme will be required to replace or reinstate that nature conservation value of the features that will be lost.

Policy T5 of the adopted Local Plan refers to the application of highway design and vehicle parking standards.

Policy IMP1 of the adopted Local Plan seeks to ensure contributions towards infrastructure and facilities commensurate with the scale and nature of the development proposed.

Policy REC3 of the adopted Local Plan requires all new residential development to provide outdoor play space for children.

The Borough Council's Supplementary Planning Guidance on New Residential Development (revised July 1997) and on Play and Open Space (adopted October 2002) provide further guidance on development proposals including the provision of open space within development proposals or of financial contributions towards off site provision. In this case the developer is required to provide a contribution of £16,133.

Appraisal:-

Principle

The site is located within the settlement boundary of Hinckley in a predominantly residential area. The current property has no statutory protection that would prevent its demolition other than requiring a notification to be submitted and approved. It must be noted that national policy clearly and unequivocally seeks to maximise the development potential of previously developed land within urban areas. Based on this principle the main focus of the application is securing the most appropriate design.

Layout and Design

A key consideration of the scheme was the effect the development would have on the existing street scene and the impact on the adjacent properties. At an early stage of negotiations the continuation of the existing built form was a fundamental requirement. The existing building is a substantial property and occupies a dominant position in Cleveland Road. The key to the design is to create an individual building that takes design cues from the adjacent buildings but would retain a similar scale and mass to the original house.

The original drawings depicted a design that did not exceed the height of the ridge of the existing house but amounted to what was effectively a three-storey building. The resulting scale and mass was deemed unacceptable and the design was amended to reduce the overall dominance by aligning the eaves of the new development with those of the adjacent properties. The new design creates a two-storey development with rooms in the roof. The inclusion of gable features, over-sailing eaves, stone cills and lintels add interest and individual front doors attempt to give the development the appearance of a Victorian terrace. Officers still have concerns that the development is a pastiche of styles and does not compliment or enhance the character of the surrounding area with regard to scale, mass, design and architectural features.

To the rear is a two-storey detached wing comprising of two apartments with controlled aspects to prevent overlooking of the adjacent properties. The relationship of the detached wing to the main block however is unacceptable as the habitable room windows of the apartments in the main block are within 3.2 metres of a blank wall. The positioning of the habitable room windows are such that the level of amenity any future occupiers could reasonably expect would be reduced to an unacceptable extent.

Landscaping and private amenity

The issue of overlooking and disturbance is a very important consideration with the location of the parking to the rear of the property. To mitigate the impact on the adjacent properties a comprehensive landscaping scheme could be secured via condition to include details of all hard and soft landscaping details to be submitted and agreed in writing before development commences. The issue was raised with the agent who is keen to preserve the existing vegetation and to provide additional measures to safeguard the amenities of both the existing and future occupiers of the proposed and existing dwellings.

Access

The originally submitted plans proposed an access that was unacceptable as it lacked adequate pedestrian visibility splays. In conjunction with the overall design of the proposal, the access has been subject to detailed scrutiny between the Highways Authority and the agent. The solution was to move the access a further 1.5 metres from the boundary of 5 Cleveland Road and remove the Hornbeam tree that is located in the Highway at the front of the property. The agent commissioned an independent arboricultural report that recommended the tree was unworthy of retention. There is no objection in principle as other similar trees have been removed from Cleveland Road in recent years. The removal of the tree allows the access to meet the requirements of the Highway Authority in terms of visibility splays and all other issues can be addressed via the use of appropriate conditions.

Officers have noted the concerns regarding the increase in traffic generated by the development, but are mindful of the Department of Transport's new technical guidance document, "Manual for Streets". The document indicates that on streets with relatively low levels of traffic (below 2000 vehicles per day), visibility requirements at junctions should be significantly lower than those contained in the Highway Authority's design guidance document. Given the status of this document as the most recently published guidance available, the Highway Authority would not be in a position to object to the proposal based on the standard of vehicular access proposed.

Parking

The adopted Hinckley and Bosworth Local Plan requires a total of 1.5 car parking spaces per flat or apartment. The original scheme proposed one space per flat and a further two visitor spaces were created during the re-design of the development giving a total of 16 spaces. This leaves a shortfall of 5 spaces. The concerns relating to the parking arrangements on Cleveland Road and the adjacent streets are acknowledged. It must be

noted however that the Highway Authority are not in a position to seek to resist the proposed level of parking when considering LCC's 'Highways, Transportation & Development' guidelines. The document states that "One space for each dwelling shall be provided where car ownership may be low, such as town centres and other locations where services can easily be reached by walking, cycling or public transport."

When addressing the shortfall of car parking consideration needs to be given to the objectives of PPS 3 - Housing. PPS 3 underpins the delivery of the Government's strategic housing policy objectives, to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live. PPS 3 advises that residential development car parking policies should promote good design and the need to use land efficiently. The site is close to local amenities such as shops and recreation grounds and is therefore a sustainable location whereby residents can reach these facilities by walking, cycling or public transport. There is the opportunity to condition the provision of cycle storage within the building for the flat residents and this would encourage residents to use alternative modes of transport other than the private car. Therefore, considering the location of the proposal close to the town centre and the opportunity to provide cycle storage for residents it is considered that the scheme is acceptable.

Contributions

The application proposes 14 residential units and attracts contributions towards libraries of £690, civic amenity of £555 and health of £ 8,162. As the site does not make any provision for onsite open space a contribution would be required to improve existing open space within the immediate locality. The contribution towards open space improvements would be £16,133. Contributions made towards the informal open space will go towards improvements at Hollycroft Park detailed in the Green Space Strategy, Audits of Provision 2007. There is no requirement for a financial contribution towards education facilities as all sectors of education currently have spare capacity. There will be a total of £25,540 for all contributions. Whilst the applicant may be willing to pay the required contributions, as there are other reasons for refusal, the lack of contributions is also included.

Other Material Considerations

Recent weather events have highlighted the need for new developments to incorporate sustainable methods of drainage provision within the schemes to deal with the issue of flooding. Careful consideration was given to this site and the relevant drainage conditions can be attached to the permission including the requirement that the development be served by a Sustainable Urban Drainage Scheme (SUDS) to deal with surface water drainage.

Conclusion

Whilst the loss of large individual properties of this type may be deemed as regrettable, there is no statutory instrument available with which to enforce its retention. In terms of National and Local Plan policy, the development is in a sustainable location. However, the design of the proposal is fundamentally flawed with the siting and relationship of the detached wing to the main block. The proposal suffers from further design weaknesses as it fails to compliment or enhance the character of the existing street scene. In its current form the scheme represents a compromised and confused approach to design that is inappropriate in this context. On this basis the application is recommended for refusal.

RECOMMENDATION :- REFUSE, for the following reasons :-

- 1 The proposed development by reason of the design, scale and mass in this prominent location would fail to complement or enhance the character of the existing street scene. The applicant has failed to demonstrate how they have taken into account the need for

developments to respond to their local context. The design is inappropriate within the streetscene and is therefore contrary to Policy BE1 (a) of the adopted Hinckley and Bosworth Local Plan and the Borough Council's adopted Supplementary Planning Guidance on New Residential Development.

- 2 The design and the positioning of the detached wing creates an unacceptable relationship with habitable room windows, such that the level of amenity any future occupiers could reasonably expect would be reduced to an unacceptable extent. The proposal is therefore contrary to policies BE1 and RES5 of the adopted Hinckley and Bosworth Local Plan and the Borough Council's Supplementary Planning Guidance on New Residential Development.
- 3 In the opinion of the Local Planning Authority, the lack of any definitive financial contribution to address the increase in pressure placed on library facilities, waste facilities and health by the proposed development would not accord with Circular 5/05, Strategy Policy 11 of the adopted Leicestershire, Leicester and Rutland Structure Plan 1996 to 2016 and Policy IMP1 of the adopted Hinckley and Bosworth Local Plan.
- 4 In the opinion of the Local Planning Authority the lack of any financial contribution to address the increase in pressure placed on play and open space facilities of the local area by the proposed development would not accord with Circular 5/05, Strategy Policy 11 of the adopted Leicestershire, Leicester and Rutland Structure Plan 1996-2016, Policies REC3 and IMP1 of the adopted Hinckley and Bosworth Local Plan, and the Borough Council's Supplementary Planning Guidance on Play and Open Space (October 2002).

Contact Officer:- Mr S Cheshire Ext 5762

Item: 02

Reference: 07/01145/FUL

Applicant: Messrs C And S McManus

Location: Comfort Farm Rogues Lane Hinckley Leicestershire LE10 3DX

**Proposal: EXTENSIONS AND ALTERATIONS TO FARMHOUSE AND
OUTBUILDING TO FORM TWO DWELLINGS**

Introduction:-

This is a full application for the extension and alteration of a former farmhouse and adjoining farm building to form two combined dwellings which are intended to be occupied separately by two families but not sold off independently. This is a revised application following withdrawal of an application submitted in 2006.

The site lies to the south of Rogues Lane, Hinckley. It is concealed from the road and is accessed by a private track.

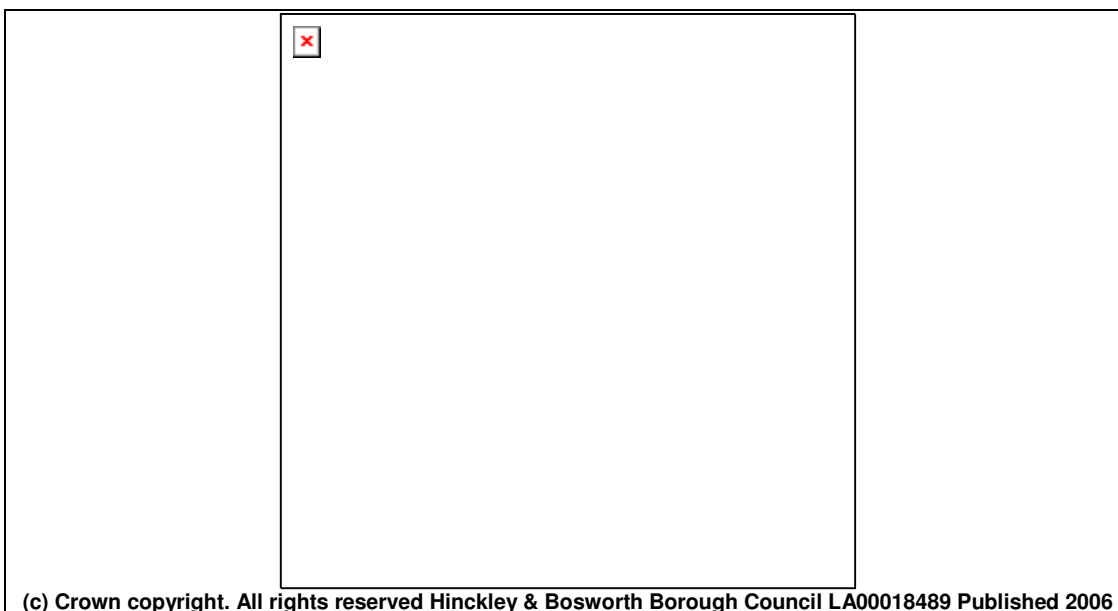
The farm complex is built around a cobbled courtyard area, it comprises of a rendered finished and tiled roof farmhouse and adjoining two storey red brick and tiled barn. There is also a single storey L shaped, stable/cow shed building, built of brick and slate which completes the complex, amended proposals have been received confirming that details of the refurbishment of this building will be the subject of a future application . There are other barns and lean-to structures roofed with corrugated sheet to be demolished. The proposals include the extension of the two storey barn, the rebuilding of damaged brickwork and re-roofing.

In support of the application, the Agent has pointed out that the actual floorspace of the proposal is considerably less than the existing farmstead. Approval of the proposal will also facilitate improvements to the existing buildings and the tidying of the wider site, together with the removal of previously concrete areas and its return to woodland/grass.

The structural survey, dated February 2006, submitted with the application concludes that the buildings are capable of being converted and refurbished for residential occupancy subject to the requirement to replace all roof coverings. Although the truss and purlin structures together with most of the rafters appear to be sound, this will need further detailed inspection by a specialist contractor. Previous repairs to the walls with blockwork and damaged panels are to be replaced with suitable materials and repointing will be carried out to all of the brickwork.

History:-

06/01100/FUL	Extensions and alterations to farmhouse and outbuildings to form two dwellings and erection of a storage unit	Withdrawn	24.10.06
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Consultations:-

Director of Environment & Heritage Services (Archaeology) recommend that a condition for a Historic Building Record, equivalent to a Level 2 Survey be attached to any planning permission. The applicants have been requested to provide this information.

Head of Environmental Services has requested standard contaminated land conditions.

Director of Highways, Transportation and Waste Management (Highways) recommends refusal on the grounds that the proposal could result in an unacceptable increase in traffic using an access which lacks appropriate visibility for the speed of traffic on the main road which could lead to increased dangers for road users. The Highway Authority may look more favourably upon the proposal if the access could be substantially improved.

Development Plan Policies:-

The site lies within the open countryside as designated in the adopted Hinckley & Bosworth Local Plan.

Government Policy

Planning Policy Statement 7 (PPS7) 'Sustainable Development in Rural Areas' supports the reuse of appropriately located and suitably constructed existing buildings in the countryside. The countryside should be protected and where possible, enhanced. Farm diversification should not result in excessive expansion and encroachment of buildings into the countryside.

Structure Plan

Strategy Policy 8 (SP8) states that the countryside will be protected for its own sake and that development in the countryside will only be acceptable if the general appearance and character of the landscape and the countryside is safeguarded or enhanced. Built development should be well integrated in relation to existing development and designed sympathetically to fit into the local surroundings. Existing buildings should be reused where appropriate. Dwellings in the countryside will be limited to those essential for the needs of agriculture or forestry, or for affordable housing for local needs in accordance with rural exception policies in local plans.

Local Plan Policy

Policy NE5 stipulates that the countryside will be protected for its own sake; however, it also states that the re-use of existing buildings within the countryside may be acceptable in principle, subject to there being no adverse effect on the appearance or character of the landscape and it is effectively screened by landscaping or other methods.

Policy BE20 focuses on the re-use and adaptation of rural buildings, including those for residential purposes. It states that such proposals will be granted provided there is no adverse effect on the landscape, highway safety, protected wildlife habitats, or to the design, character and appearance and setting of the building; the building should be capable of conversion without significant alterations, extensions or rebuilding; and the amenities of nearby residents not adversely affected. Buildings should be located where a working farm or other rural activity does not adversely affect the amenities of future occupiers.

Policy BE1 reiterates much of the above criteria.

Policy T5 seeks to apply the County Council highway standards and parking targets when considering new development.

Further advice is given in the adopted Local Planning Authority's Supplementary Planning Guidance on Conversion of Rural Buildings (June 2004).

Appraisal:-

The main issues to consider are the condition of the building and whether it can be converted, the impact of the development upon the surrounding countryside, whether the proposal satisfies adopted Development Plan policies and the impact on road safety.

Structural Survey

The structural survey prepared in February 2006 by visual inspection only, states that the adaptation of the existing farmhouse and two storey building do not need substantial demolition and rebuilding in order to be converted.

A Building Control Officer has visited the site and has commented that in particular the L-shaped building is in a dilapidated state and major rebuilding may be required. This building which is an important feature within the overall farm complex, has now been omitted from the current proposal for further detailed consideration prior to a further application for its refurbishment and rebuilding.

Design

The current application proposes some repairs and restoration to existing brickwork, re-roofing of the entire complex and the building of a new extension to replace a blockwork and steel barn structure. The design is in keeping with the general character of the existing complex and is considered to be acceptable. The proposed courtyard appearance is of

significant importance that it is suggested that further details be provided in relation to the treatment to the courtyard, together with details of the windows, doors, eaves and proposed porch roof treatment.

Highways

Although the current access is considered to be substandard in terms of visibility, The Director of Highways, Transportation and Waste Management (highways) has stated that the proposal may be looked on more favourably if the access could be substantially improved. The application shows that there is land within the control of the applicant that could be utilised to provide a safer access. Further comments in relation to highway safety will be reported to the meeting as a late item.

Impact on the Countryside

The site is within an area of open countryside where policy seeks to protect the countryside for its own sake. The policy allows for change of use, reuse and extension of existing buildings providing the development would not have an adverse effect on the appearance or character of the landscape and is in keeping with the scale and character of existing buildings and the general surroundings. Furthermore, the Supplementary Planning Guidance pays particular regard to the setting of converted buildings, requiring the appearance to retain their rural character and for the domestic appearance to be concealed from general view. It is considered that the proposal does not have an adverse effect on the countryside subject to the domestic elements being controlled by the removal of 'permitted development' rights. The proposal indicates decking areas within the courtyard, which is not a feature normally associated with a traditional farmyard complex, and needs to be amended from the scheme accordingly.

Contribution

The site does not meet the needs identified in the Supplementary Planning Guidance on play and open space due to its location and as such, no contribution can be sought for the additional dwelling on site.

Conclusion

Overall, the proposal appears to be acceptable subject to conditions, if the buildings are capable of conversion. The scheme will repair and restore buildings which are falling into a poor state of repair and remove concrete areas which will be restored to woodland/grass. Although the proposal includes an element of new building and some rebuilding, it will reduce the scale and number of buildings currently existing in the open countryside and so will have a minimal effect.

RECOMMENDATION :- Permit subject to the following conditions :-

SUMMARY OF DECISION - The proposal is in conformity with Policies BE1, BE20, NE5, T5 and RES5 of the Hinckley and Bosworth Local Plan. Planning permission is granted subject to conditions.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings and courtyard including windows and doors, and cobbles shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1A - H Classes shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority
- 4 Notification of the commencement date of any site investigation work relating to potential contamination should be given in writing to the Local Planning Authority not less than 14 days before such work commences.
- 5 No development approved by this permission 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.
- 6 If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.
- 7 Notification of the commencement of development should be given in writing not less than 14 days before development commences.
- 8 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include:
 - (i) proposed finished levels or contours
 - (ii) means of enclosure
 - (iii) hard surfacing materials
 - (iv) proposed and existing functional services above and below ground (e.g. drainage, pipelines, manholes, supports, etc.)
 - (v) retained historic landscape features and proposals for restoration, where relevant.
 - (vi) planting plans
 - (vii) written specifications
 - (viii) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
 - (ix) implementation programme.

- 9 The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.
- 10 Development shall not commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording. This work shall be conducted in accordance with a written scheme of investigation, which has been submitted and approved by the Local Planning Authority.
- 11 Notwithstanding the submitted drawings, details of the proposed porch, eaves, windows and doors shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The agreed scheme shall be implemented in accordance with the approved details.
- 12 The proposed dwellings shall not be occupied until works for the disposal of surface water and foul water have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority
- 13 No walls, fences or other such structures shall be erected in the courtyard area unless agreed in writing by the Local Planning Authority.
- 14 Prior to commencement of development a detailed scheme for the boundary treatment of the site and the amenity spaces of the dwellings shall be submitted for approval by the Local Planning Authority. The approved scheme shall be implemented before the dwellings are occupied.
- 15 Prior to commencement of development a detailed scheme for improvements to the vehicular access to the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme shall accord with the requirements of the Leicestershire County Council current design standards and include details of visibility splays, access width, gradients, hard surfacing, parking and turning facilities. The approved scheme shall be implemented before the dwellings are occupied and thereafter be so maintained.
- 16 The proposed dwellings shall not be occupied until the buildings proposed to be demolished shown on Drawing 2551RH.05.010 have been taken down and removed from the site.

Reasons :-

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan
- 3 To ensure that the development has a satisfactory external appearance in relation to the open countryside to accord with policies BE1 and NE5 of the adopted Hinckley and Bosworth Local Plan
- 4 To safeguard the health of future occupiers of the residential properties to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan

- 5 To ensure that the site is not contaminated and to safeguard the health of future occupiers of the residential properties to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan
- 6 To safeguard the health of future occupiers of the residential properties to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan
- 7 To safeguard the amenities of future occupiers of the residential properties to accord with policy BE20 of the adopted Hinckley and Bosworth Local Plan
- 8 To enhance the appearance of the development to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan
- 9 To safeguard the health of future occupiers of the residential properties to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan
- 10 To ensure satisfactory historic building recording to accord with policies BE13, BE14, BE15 and BE16 of the adopted Hinckley and Bosworth Local Plan.
- 11 To ensure a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan
- 12 To ensure satisfactory provisions are made for the drainage of the site to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.
- 13 To safeguard the visual amenities of future occupiers of the residential properties to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan
- 14 To enhance the appearance of the development to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan
- 15 In the interests of highway safety to accord with policy T5 of the adopted Hinckley and Bosworth Local Plan.
- 16 To ensure that the development has a satisfactory appearance to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 In relation to condition advice from Health and Environment Services is attached to this decision notice which includes the Borough Council's policy on the investigation of land contamination. Any scheme submitted shall be in accordance with this policy.

Contact Officer:- Mrs L Forman Ext 5682

Item: 03
Reference: 07/01150/FUL
Applicant: Tungsten Properties Ltd
Location: Land Adjacent To 391 Coventry Road Hinckley Leicestershire
Proposal: MIXED COMMERCIAL DEVELOPMENT COMPRISING B1 B2 B8 AND SUI GENERIS USES

Introduction:-

This application seeks full planning permission for the erection of a mixed commercial development comprising of two car showrooms, one car rental unit, three office units, 14 small industrial nursery units, 2 medium sized industrial units and one unit to house the Royal Mail sorting office.

The site lies to the north of Coventry Road. It is a roughly rectangular field extending to 4.75 hectares. The western frontage of the site adjoins the end house (no 319) of a ribbon development along Coventry Road, the western boundary is marked by the Harrowbrook Industrial Estate and the northern boundary by Harrow Brook and Hinckley Business Park. To the east, beyond the hedge, is the Ashby Canal.

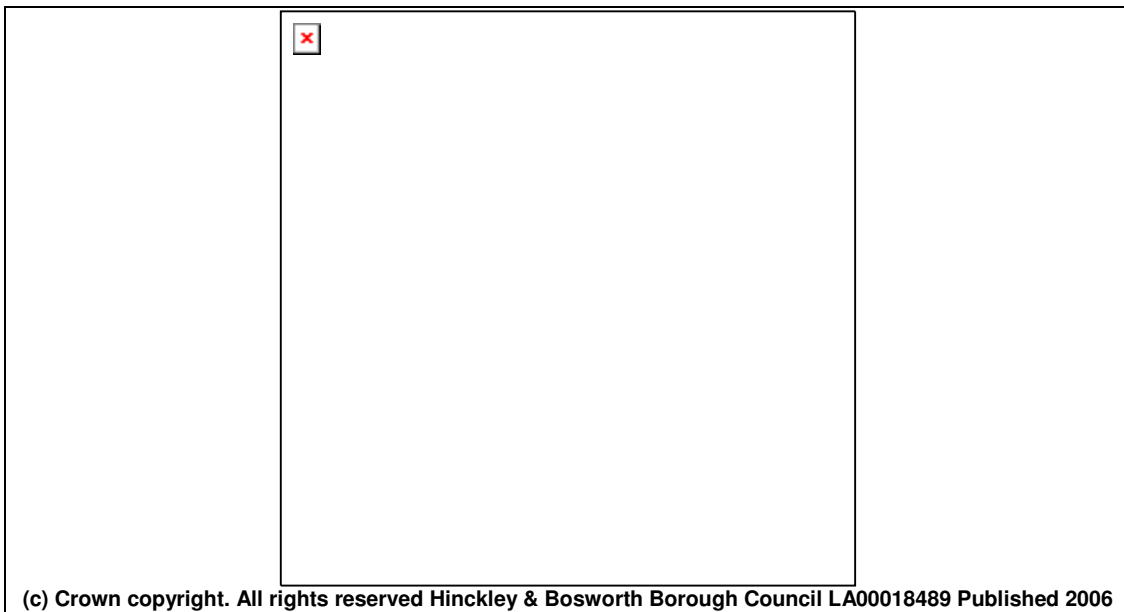
The scheme is a resubmission following refusal of planning permission by Members in August. The two reasons for refusal were that the proposal adversely affected the character of the area and the Ashby Canal Conservation Area by virtue of overdevelopment and proximity to the canal. The applicants have taken on board Members concerns and have moved the development away from the canal and reduced the building footprint by 18%.

The application submitted was accompanied by a comprehensive planning statement which incorporates the background to the application, policy framework, the evolution of the development proposal, a design and access statement, and suggested planning conditions. In addition, the application includes a comprehensive landscaping scheme and a robust development strategy which sets the context and demonstrates how the proposals have come forward. Furthermore, the scheme incorporates a wildlife lake and wildflower meadow to enhance and improve natural habitats.

History:-

99/00048/OUT	Industrial Development for B1, B2 and B8 uses	Allowed at Appeal	09.05.00
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03/00411/CONDIT	Variation of condition 3 of application 99/00048/OUT to allow extension of time for submission of reserved matters	Permitted	09.06.03
05/00216/REM	10 Commerical/Industrial/Office units	Withdrawn	02.03.05
05/00615/FUL	Erection of 10 Commercial units	Permitted	11.08.05
07/00529/FUL	Mixed commercial development comprising B1, B2, B8 and Sui Generis uses	Refused	29.08.07



Consultations:-

No objection has been received from Director of Environmental and Heritage Services (Archaeology).

No objection subject to conditions have been received from Director of Highways, Transportation and Waste Management

The Land Drainage Engineer has suggested the previously proposed condition should be retained unless the Environment Agency has endorsed the Sustainable Urban Drainage proposals. The need for the use of a pumping station has also been raised, as there is a public sewer available just beyond the northern boundary of the site.

The Cyclists Touring Club comments that the needs of the cyclist and pedestrian should be considered.

Director of Environmental and Heritage Services (Ecology) comments that water voles have been recorded in the vicinity of the site and the applicant has proposed a sufficient strip of land be made available for the water vole habitat. However, a method statement detailing how the habitat is to be retained and enhanced as part of the development should be submitted. Furthermore there should be a watching brief for all protected species to ensure their protection. The wildlife lake to be created should be of varying depths throughout and should not be stocked with fish. The scheme offers enhanced planting which will increase the biodiversity of the site, where removal of deadwood is proposed it should be retained on

site to provide valuable habitat from small animals and insects. The planting schedule should be revised to include only locally native species. Finally, a method of works and a management plan should be requested to ensure the canal is protected throughout the works and resulting development.

Director of Community Services (Rights of Way) draws attention to public footpath T54 located along the eastern boundary of the site. The applicants should ensure that the line of the footpath is not affected or encroached upon by any operations associated with the development.

Leicestershire Constabulary Crime Reduction Officer comments that the open and permeable nature of the site may lead to both vehicle and building related crime. It is suggested either the site is secured at the entrance/exit point or each section is suitably compounded and secured. The boundary to the canal should be at least a 2.4 metre high mesh fence behind the hedgerow to provide both security and natural surveillance. The car showrooms should incorporate design measures such as a bund, ditch, close space bollards to protect the full height glazing and externally parked cars.

3 letters of objection have been received raising the following concerns:-

- a) Creation of further traffic problems
- b) Additional access point on to Coventry Road to the detriment of highway safety
- c) No need for further industrial development
- d) Noise from building work and additional traffic
- e) Does not differ much from previously refused scheme
- f) Air, sound and light pollution
- g) Lack of emergency access / egress
- h) Loss of countryside.

At the time of writing the report comments have not been received from:-

Environment Agency
Severn Trent Water
Ramblers Association
Natural England
Ashby Canal Association.

Development Plan Policies:-

Policy BE1 of the adopted Hinckley and Bosworth Local Plan seeks to achieve a high standard of design to secure attractive development that will safeguard and enhance the existing development.

Within the Hinckley and Bosworth Local Plan the site is designated an 'Area of Separation' under Policy NE4, this protects areas of land between settlements and/or other development against development other than that associated with agriculture, horticulture, community or sport and recreation uses.

Policy EMP4 of the adopted Hinckley and Bosworth Local Plan provides for employment development on sites other than those allocated for employment, subject to criterion.

The site lies adjacent to Ashby-de-la-Zouch canal, which is a designated Conservation Area and is afforded protection through Policy BE7 and Policy REC6 of the Hinckley and Bosworth Local Plan. Policy BE7 relates to development within the Conservation Area, whilst Policy REC6 provides a corridor either side of the canal in order to protect the recreational and ecological value of the canal. Development is allowed within the corridor subject to specified criterion.

Policy T5 of the Hinckley and Bosworth Local Plan requires access and parking in accordance with highway standards and policy T9 of the Hinckley and Bosworth Local Plan provides for facilities for cyclists and pedestrians.

Appraisal:-

Principle of Development

The application seeks full planning permission for the development of a site that is protected by an Area of Separation within the adopted Local Plan. This policy allows for certain sympathetic developments on such sites; however employment is not one of them. Furthermore, the site lies adjacent to Ashby-de-la-Zouch canal, which has a protection corridor alongside it, this also allows for development, but again not employment. Therefore the development of this site for employment uses is considered to be contrary to policies contained in the Local Plan.

However, the site has been subject to outline and full planning permission previously and the application was tested at public inquiry before an Inspector. It was held by the Inspector that the designation of the Area of Separation had no strategic or visual justification. He referred to the public local inquiry into objections to the Hinckley and Bosworth Local Plan where the Inspectors recommended the site as an allocation for employment uses. Whilst the Local Planning Authority declined to accept the Inspectors recommendation the Inspector at the public inquiry for outline planning permission allowed the appeal. The Inspector, when considering the development of this site at outline stage, considered that any units within 150 metres of Coventry Road should be B1 use, to not cause disturbance to adjoining residents.

It is considered that the planning history of the site is a material consideration that outweighs the policy objection to the development of this site for employment. It is further considered that if the principle of development was to be considered unacceptable it would be extremely difficult to defend the decision at appeal bearing in mind the Inspector previously accepted the principle and there has been no change in policy since this decision was taken.

Concerns that the development will result in the loss of green space have been raised. The site is privately owned and the principle of development has been accepted. Therefore it would not be justifiable to refuse permission on the basis of loss of green space or public access.

Siting and Design

The application proposes 24 commercial units that are arranged either side of a central spine road accessed off Coventry Road. The two front units comprise the car showrooms and have been designed to provide interest to Coventry Road. The Mitsubishi showroom to the east of the access road has been designed with a curved overhanging roof with bracing. The unit is modern in appearance with substantial areas of glazing. The car sales display area to the front is at a lower level than Coventry Road and therefore will not be prominent from the road frontage. The Vauxhall showroom is to the west of the access road and is set back from the frontage by approximately 98 metres (kerb of Coventry Road to front elevation), the rear of the unit is some 124 metres from Coventry Road. This unit has also been designed with a curved roof; the front elevation has large glazed areas. The car display is to the front and side of the unit but is set behind low level landscaping to reduce the prominence from Coventry Road, the boundary treatment to the west of this plot comprises a 2.5 metre high acoustic fence and trees, whilst the landscaping to the front of this unit is less than previously approved, it is considered that the planting and acoustic fence along with the type of use proposed will meet with the intentions of the Inspector in

ensuring any disturbance to neighbours is kept to a minimum. The rear of the unit, which provides access to the workshops is a further 26 metres away from Coventry Road.

Further into the site along the eastern side of the site the three office units and one of the medium sized industrial units have been moved away from the canal edge to address Members concerns, this has provided a strong frontage along the internal access road. The parking for these units is located to the sides and rear and is broken up with landscaped areas and green spaces. Some minor revisions to the canal elevation of the end unit have been requested to provide some interest to this important elevation. To the rear of the site at the end of the internal access road there are a further 2 medium sized units, again minor revisions have been requested to ensure the prominent elevation that forms the focal point within the development has some interest. In the north eastern corner of the site the applicants have proposed a wildlife area incorporating a wetland area, meadow and water vole habitat. This scheme differs from that previously submitted by providing a more spacious and greener eastern half of the development this it is considered will compliment the Ashby Canal Conservation Area and the general character of the area.

At the north western corner of the site it is proposed to erect a Royal Mail sorting office. The unit is located sufficiently away from the Harrow Brook to ensure it has no adverse impact on the water voles. Furthermore, the unit now proposed is considerably smaller than the large warehouse previously proposed, not only reducing the building footprint but also the associated hard standing.

The nursery units proposed are sited in two rows to the west of the spine road, and face in towards each other accessed off a shared service area. Again these have been designed to appear similar to the other buildings across the site with curved roofs, and glazed panels. Finally, the car rental unit sits opposite office unit B, the eastern end of this building, which will be prominent from the spine road, comprises a glazed waiting area. Again this will add interest within the development and also provide some natural surveillance.

The scheme, subject to the minor revisions requested, has been designed to ensure the prominent elevations facing both Coventry Road and the Ashby Canal incorporate interest whilst also ensuring the views within the site are attractive. It has been a difficult balance to achieve. The landscaping strategy submitted with the application proposes landscaping integral to the design of the overall estate which indicates that the spine road will be landscaped to enhance the appearance internally softening the large areas of parking and servicing that are required for the development proposed. Overall it is considered that the scheme proposed offers a good mix of uses and choice. The design is considered to be sensitive to the location adjacent the Ashby Canal Conservation Area building on the existing character and ecological habitat within the area. The built form has been kept away from the canal edge, and is well spaced along the eastern boundary punctuated by landscaping and green spaces.

The scheme also incorporates a pocket park along the east boundary for use by employees of the businesses on the park and users of the Public Towpath. This is considered will create a node within the development and along the towpath linking the two. The park will comprise all weather surfacing and benches to follow British Waterways design standards.

Highways

The current application proposes the access in the same location as that previously approved; this is to the south-west corner of the site. It sweeps away from the residential properties to the west. The Director of Highways, Transportation and Waste Management raises no objection to the scheme subject to conditions, and requests the opinion of the Highway Agency be sought with regards to impact on the A5 and Dodwells Roundabout. The planning application submitted includes a highway statement and an email from the Highway Agency at the pre-application stage, which confirms the Highways Agency, has no

objections to the increase in floor space with regards to impact on the highway. Therefore with no objection from either the Highways Authority or the Highways Agency there is no justification to refuse the application on traffic generation and highway safety grounds.

With regards to parking across the site the Highways Authority considers there is a slight over provision of parking for the office and general industrial units however this would not justify a reason for refusal, therefore it is recommended that the issue be raised with the applicant and addressed in the submission of the Green Travel Plan. Concern was raised regarding the provision of vehicle loading and unloading for the two car showrooms. It is therefore proposed to request details of such provision by condition to ensure loading and unloading does not take place within the highway.

Noise

Concerns have been raised regarding noise disturbance from the units. Discussions between the applicant and Health and Environment have resulted in Unit D being kept beyond the existing adjacent industrial unit with planting and a 70 metre long, 2.5 metre high acoustic fence proposed to the western boundary. The servicing to the unit has been kept to the rear of the building with all openings along the rear elevation, which faces away from the residential area, to ensure noise disturbance is kept to a minimum. Whilst, the workshop element of the car showroom can be considered to be a noise generating use, it is considered that the imposition of the noise condition as recommended by the Head of Health and Environment will ensure noise levels are kept below recommended standards. Whilst the Inspector at appeal restricted units within 150 metres of Coventry Road to B1 use it is considered that as any potential for noise generation can be controlled by condition it would be unjustified to refuse the application on this basis.

Conservation

The site is located in a sensitive area, adjacent to Ashby-de-la-Zouch Canal, a designated conservation area. The areas to be addressed under this heading include: hedgerow and landscaping; water voles; canal and towpath; and archaeology.

Hedgerow and Landscaping

It is proposed to remove a section of the hedgerow along the canal frontage to open the site up and encourage natural surveillance. It is proposed that these areas to be removed are replaced within native shrub planting of approximately 1 metre in height and a post and rail fence with some lighting to increase safety. There will be only one small opening in the boundary treatment, which comprises a gateway into the proposed pocket park. The applicant considers that the removal of this established hedge will enhance the canal setting and provide a visual gateway into the development site and also enable employees to make use of the canal and towpath users to make use of the pocket park. However, such a large loss of hedgerow is considered unnecessary, as such a condition has been recommended that requires the applicant to address officer concerns and reduce the loss of hedgerow.

The site currently comprises an open field surrounding by landscaping. The application proposed includes a comprehensive landscaping strategy, which seeks to enhance the existing hedgerow along the canal side where necessary and proposes to create a green corridor along the spine road. This it is considered will not only provide a visual green corridor but will also assist with the ecology of the site and will provide a wildlife habitat. It is however considered that there could be improvements made to the scheme; therefore a condition requires further details to be submitted.

Water Voles

Harrowbrook to the north of the site is a known site for water voles, which have protection of their homes under the Wildlife and Countryside Act. In order to protect the water voles habitat a grassed margin is to be retained which will require appropriate management to protect the habitat.

Canal and Towpath

The canal itself is identified as a Conservation Area within the Local Plan and is afforded protection under Policies BE7 and REC6. Policy REC6 provides a corridor either side of the canal. This corridor is not prescribed a recommended width but should be adequate to protect the canal. The towpath is a public right of way (T54) and as such should not be affected by any operations associated with the development.

The proposal seeks to provide a link from the site to the towpath opposite the Trinity Marina. This link will improve the existing towpath route and is considered a sustainable pedestrian and cycle route to work and recreational use. Furthermore, the use of the towpath is likely to increase.

Archaeology

Archaeological work has been undertaken and an archive deposited, therefore there are no further archaeological implications.

Sustainability

The developer has considered the need for the development and have identified that there is a deficiency of modern serviceable B1, B2 and B8 employment opportunities in the area. 52% of the units have already received interest, and it is considered by the developer that the range of units proposed will provide choice for the market. The robustness of the scheme in economic sustainability terms is therefore not questioned.

With regards to energy saving measures, none have at this time been proposed. It is therefore considered appropriate to request such measures by condition.

Other Issues

- Pollution - concerns that the proposal will create excessive pollution have been considered and the head of Health and Environment has suggested the imposition of a condition.
- Opening Hours - The previous approval included a condition restricting the opening hours of any unit within 150 metres of Coventry Road. It is proposed to condition this application in a similar manner with both Car Showrooms being restricted to 7am to 8pm Monday to Friday; 8am to 6pm on Saturday and 10am to 4pm on Sundays and Bank Holidays.
- Benefits to Local Residents - concerns have been raised that the development will not benefit the local residents, however it is considered that opportunities to benefit local residents will be created through the potential for employment opportunities.
- Property Prices - This is not a material planning consideration.

Conclusion

It is considered that the principle of development is accepted bearing in mind the site history. The siting and design is considered to be acceptable and sympathetic to the surrounding areas. The design is considered to be of high quality and will enhance the character of the surrounding area with significant landscaping and habitat creation proposed. It is therefore recommended that planning permission should be granted.

RECOMMENDATION :- Permit subject to the following conditions :-

SUMMARY OF DECISION - The proposal is in conformity with Policies BE1; EMP4; BE7; REC6; T5 and T9 of the Hinckley and Bosworth Local Plan and Environment Policy 3A of the Leicestershire, Leicester and Rutland Structure Plan. Planning permission is granted subject to conditions.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed buildings shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.
- 3 No development shall commence until a scheme for the provision of surface and foul water drainage works, which shall be on separate systems, has been submitted to and approved in writing by the Local Planning Authority. No building on the site shall be occupied until the scheme has been completed in accordance with the approved scheme.
- 4 No development shall commence until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. No building on the site shall be occupied until the scheme has been completed in accordance with the approved scheme.
- 5 There shall be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of any bank or watercourse and/or 3 metres of any side of an existing culverted watercourse, inside or along the boundary of the site, unless agreed otherwise by the Local Planning Authority.
- 6 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.
- 7 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.
- 8 There shall be no discharge of foul or contaminated drainage from the site into either ground water or any surface waters, whether direct or via soakaways.
- 9 The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.
- 10 No part of the development shall be occupied until details of a Green Commuter Plan containing a travel to work, car use and car parking management strategy for the site as a whole has been submitted to and agreed in writing by the Local Planning Authority. The plan shall comprise proposals to reduce car dependence and vehicle emissions and to

establish and encourage the use of alternative transport modes for journeys to and from work and during working hours. Details of the proposals shall include measures to secure increases in car sharing, public transport use, cycling and walking, proposals for car parking restrictions and controls and details of on-site facilities to promote alternative modes of travel to the site. The plan shall make provision for relevant surveys, review and monitoring mechanisms, targets, timescales, phasing programmes and on-site management responsibilities. It shall be implemented and subject to regular review in accordance with the above approved details.

- 11 Before the development hereby permitted is first used, cycle parking provision shall be made to the satisfaction of the Local Planning Authority and once provided shall be maintained and kept available for use in perpetuity.
- 12 None of the industrial units on the site shall be occupied until the proposed junction improvements shown on drawing No 12088/03C, attached to planning permission 99/00048/OUT, have been substantially completed.
- 13 No more than 2500 square metres of floor space shall be occupied until the improvements shown on TPK Drawing No 12088/14 Revision B, attached to planning permission 99/00048/OUR, or such other similar schemes have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency and have thereafter been substantially completed.
- 14 For the period of the construction of the development within the site, vehicle wheel cleansing facilities shall be provided within the site and all vehicles exiting the site shall have all tyres and wheels cleaned, as may be necessary, before entering the Highway.
- 15 Any unit within a distance of 150 metres from the edge of the carriageway of Coventry Road, shall only operate between the hours of 7.00 am to 8.00 pm Monday to Fridays; 8.00 am to 6.00 pm on Saturdays; and 10.00 am to 4.00 pm on Sundays and Bank Holidays. There shall be no working or deliveries taken outside of these hours.
- 16 No machinery for the wholesale of painting of vehicles, including dedicated paint booths and/or ovens, shall be operated from the car showroom premises and curtilages.
- 17 Noise from fixed services plant associated with each car dealership shall not exceed 10dB below the lowest measured background noise levels on the site (LA90 46 dB(A) for daytime periods and LA90 34 dB(A) for night time periods). Limiting noise levels for fixed services plant for either daytime or night-time periods are as follows:

OBCF - Octave Band Centre Frequency

OBCF (Hz)	125	250	500	1000	2000	4000	dB(A)
Limiting night-time noise levels @ 1m from any residence	23	19	22	19	9	1	24
Limiting day time noise levels @ 1m from any residence	34	31	32	33	24	13	36

The combined noise levels from activities (excluding vehicular movements and fixed services plant) associated with the general operations of each car dealership shall not exceed LAeq, 1hour 58.8 dB(A) at the nearest residential dwelling.

- 18 Before development commences, details of the proposed access junction onto Coventry Road shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include junction geometry, signal timings and trackings for HGVs and once approved the junction and traffic signals shall be provided and made fully operational before the first occupation of any unit hereby permitted.

- 19 Notwithstanding the submitted plans, before development commences further details of parking and manoeuvring facilities within the curtilage of units D and E shall be submitted to and approved in writing by the Local Planning Authority. Each approved parking and manoeuvring facility shall be provided prior to the first occupation of their respective units and once provided shall thereafter be maintained in perpetuity.
- 20 The gradient of the access drive shall not exceed 1:12 for the first 15 metres behind the highway boundary.
- 21 Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the public highway and thereafter shall be so maintained.
- 22 Before first use of the development hereby permitted turning facilities shall be provided within the site in order to allow vehicles to enter and leave in a forward direction. The turning area so provided shall not be obstructed and shall be available for use at all times.
- 23 For the period of the construction of the development, vehicle parking facilities shall be provided within the site and all vehicles associated with the development shall be parked within the site.
- 24 Before the development hereby approved is first used, off-street car parking / lorry parking provision and turning facilities shall be made within the application site in accordance with the approved plan. The parking area shall be surfaced and marked out prior to the development being brought into use and shall be so maintained at all times.
- 25 Before first occupation of any unit, its access drive and any turning space shall be surfaced with tarmac, concrete or similar hard bound material for a distance of at least 15 metres behind the Highway boundary and shall be so maintained at all times.
- 26 Before development commences full details of energy saving measures for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.
- 27 Before development commences full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.
- 28 Access shall be afforded at all reasonable times to any ecologist nominated by the Local Planning Authority which shall allow him/her to keep a watching brief throughout the period that development is taking place.
- 29 Notwithstanding the details submitted, prior to commencement of development further details incorporating revisions to the landscaping scheme and boundary treatment shall be submitted to and approved in writing by the Local Planning Authority.

Reasons :-

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.
- 3&4 To ensure satisfactory provisions are made for the drainage of the site to accord with BE1 of the adopted Hinckley and Bosworth Local Plan.

- 5 To maintain access to the watercourse for maintenance or improvement and provide for overland flood flows to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.
- 6-8 To avoid water pollution to accord with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.
- 9 To enhance the appearance of the development to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.
- 10 To ensure adequate steps are taken to provide a transport choice / a choice in mode of travel to and from the site in accordance with Planning Policy Guidance Note 13.
- 11 To ensure adequate provision is made on the site for methods of transport other than the car in accordance with Planning Policy Guidance Note 13.
- 12-14 In the interests of road safety to accord with policy BE1 of the Hinckley & Bosworth Local Plan.
- 15 To ensure that the proposed use does not become a source of annoyance to nearby residents to accord with policy BE1 of the Hinckley & Bosworth Local Plan.
- 16&17 To ensure that the use remains compatible with the surrounding area to accord with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.
- 18 In the interests of road safety to accord with policy BE1 of the Hinckley & Bosworth Local Plan.
- 19 To ensure that adequate off-street parking facilities are available to accord with policy BE1 and T5 of the adopted Hinckley & Bosworth Local Plan.
- 20 To enable vehicles to enter and leave the highway in a slow and controlled manner in the interests of highway safety to accord with Policies BE1 and T5 of the adopted Hinckley and Bosworth Local Plan.
- 21 To reduce the possibility of surface water from the site being deposited in the Highway causing dangers to road users to accord with Policies BE1 and T5 of the adopted Hinckley and Bosworth Local Plan.
- 22 To ensure that vehicles may enter and leave the site in a forward direction in the interests of road safety to accord with policy BE1 and T5 of the Hinckley and Bosworth Local Plan.
- 23&24 To ensure that adequate off-street parking facilities are available to accord with policy BE1 and T5 of the adopted Hinckley & Bosworth Local Plan.
- 25 To reduce the possibility of deleterious material being deposited in the highway in the interests of highway safety to accord with Policies BE1 and T5 of the adopted Hinckley and Bosworth Local Plan.
- 26 To ensure the development is sustainable and to reduce the impact of the development on the environment to accord with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.
- 27 To ensure that the proposed use does not become a source of annoyance to nearby residents to accord with policy BE1 of the Hinckley & Bosworth Local Plan.

- 28 To allow the opportunity to ensure adequate protection for protect species to accord with Environment Policy 3A of the adopted Leicestershire, Leicester and Rutland Structure Plan.
- 29 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 Surface water from the car showroom sites should be passed through a suitable type of oil/grit separator, the design of which shall be to the satisfaction of the Environment Agency.
- 4 For the avoidance of doubt, the provisions of Condition 16 do not affect, or impede the undertaking of "smart repairs" (paint touch-up to vehicles using aerosol (or similar) spray cans or hand held paint brushes) as often employed in respect of small scratches to, for example, wing mirrors, bumpers, door edges etc.
- 5 The Green Travel Plan required comprise proposals to reduce car dependence and vehicle emissions and to establish and encourage the use of alternative transport modes for journeys to and from work and during working hours. Details of the proposals should include measures to secure increased in car sharing, public transport use, cycling and walking, proposals for car parking restrictions and controls and details of on-site facilities to promote alternative modes of travel to the site. The plan shall make provision for relevant surveys, review and monitoring mechanisms, targets, timescales, phasing programmes and on-site management responsibilities. It shall be implemented and subject to regular review in accordance with the approved details.
- 6 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (Tel: 01530 262380).
- 7 C.B.R. Tests shall be taken and submitted to the County Council's Area Manager prior to development commencing in order to ascertain road construction requirements. No work shall commence on site without prior notice being given to the Area Manager. You will be required to enter into a suitable legal Agreement with the Highway Authority for the off-site Highway works before development commences.
- 8 If the roads within the proposed development are to be adopted by the Highway Authority, the Developer will be required to enter into an agreement under section 38 of the Highways Act 1980 for the adoption of the roads. Detailed plans will need to be submitted and approved, the agreement signed and all sureties and fees paid prior to the commencement of development.
- 9 If an Agreement is not in place when the development is to be commenced, the Highway Authority will serve APCs in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge MUST be made before building commences.
- 10 It is noted that the Highway is currently retained by a structure within the site which may be affected by these proposals. All highway related structures, must be designed and

constructed in accordance with the current relevant Highways Agency standards, codes of practice and technical memoranda. The design will be subject to the technical-approval procedure set out in the Department of Transport Standard BD 2/02 "Technical Approval of Highway Structures on Motorways and Trunk Roads". You must employ a chartered civil or structural engineer with experience in highway structures and approved by the County Council to carry out the design and oversee construction. You should start this approval process at an early stage to avoid delays in completing the Section 38 road adoption agreement, which may delay site works.

- 11 Highway related structures will normally include bridges, retaining walls, reinforced soil and anchored earth structures, environmental barriers (including noise barriers and fencing) and all drains, piped and box culverts, sewers and drainage structures, other than bridges, that have a diameter or clear span of more than 900mm. There should be discussion at an early stage to agree which structures we are to adopt. You will have to pay the additional design checking and inspection fees for any highway structure. You must also pay a commuted sum for future maintenance of any highway structure to be adopted.
- 12 The drainage scheme submitted should incorporate sustainable drainage principles.
- 13 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and taken overflow pipe outlets should be detailed to discharge downwards into the bund.
- 14 Please note attached the comments from Leicestershire County Council Ecology officer dated 22 October 2007.
- 15 In relation to the requirements of condition 29 please see the attached memorandum from the Local Authority's Green Spaces Team.

Contact Officer:- Miss T Miller Ext 5809

Item: 04

Reference: 07/01175/FUL

Applicant: Mr M Ford

Location: The Cottage Station Road Hinckley Leicestershire LE10 1AP

Proposal: DEMOLITION OF DWELLING AND ERECTION OF NINE APARTMENTS

Introduction:-

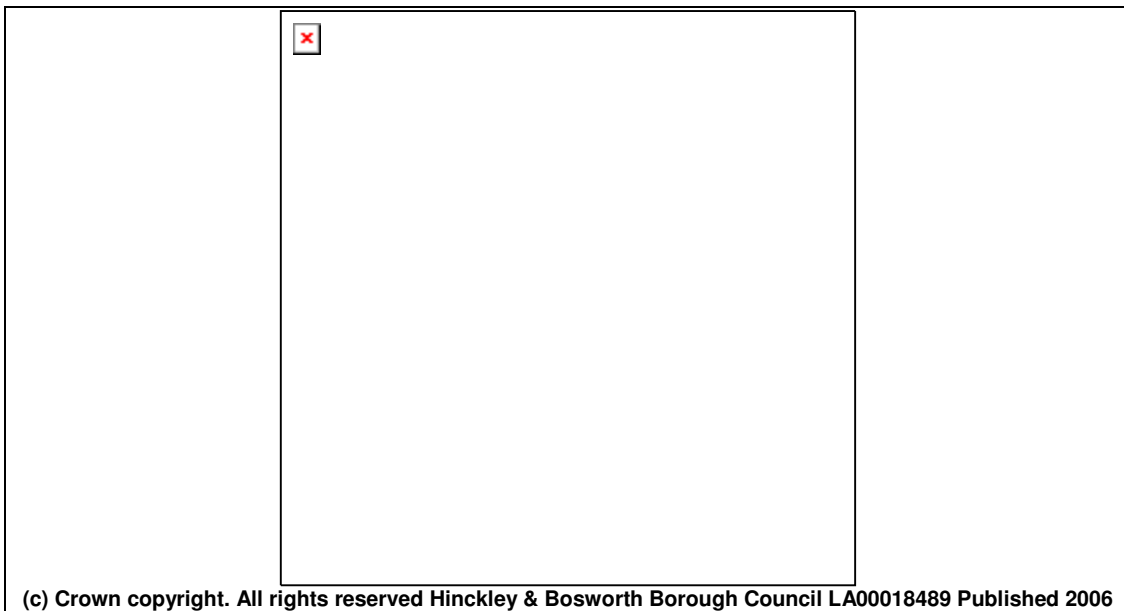
This is a full application for the demolition of an existing dwelling known as "The Cottage" and the erection of a three storey block of nine one bed-roomed apartments with associated car parking.

The site is located on the corner of Station Road and Coley Close, in a predominantly residential area. The development consists of a large detached building fronting onto Station Road. The entrance to the apartments is located to the rear of the building through a central access point. Although the building is described as three storey, the third storey is contained within the roof space. It is proposed to use the existing access off Station Road as the entrance point and to provide an exit point off Coley Close. 14 car parking spaces are shown within the site, 11 of which are sited along the western boundary.

The application has been accompanied by a design and access statement which states that the proposal follows the general character of the recent development on adjacent land.

History:-

92/00129/4	Dormer to side elevation	Refused Appeal dismissed	28.04.92
04/00221/COU	Change of use from residential to bed and breakfast	Withdrawn	13.07.04



Consultations:-

The Borough Council's Land Drainage Engineer raises no objections but comments on drainage methods.

Environment Agency refers to standing advice.

Director of Environment and Heritage Services (Ecology) advises that the development involves demolition and therefore bats may be present in the roof space.

10 letters of representation have been received objecting to the proposal on the following grounds:-

- a) inadequate size to accommodate proposed development;
- b) congestion;
- c) highway danger;
- d) insufficient parking currently available;
- e) car park area will be gathering place for teens creating noise, disturbance and litter;
- f) existing properties up for sale or unoccupied;

- g) overbearing impact;
- h) overlooking;
- i) drainage implications;
- j) risk of damage to property;
- k) security risks;
- l) loss of mature trees;
- m) plans incorrect;
- n) pollution;

At the time of writing the report no comments had been received from:-

Director of Highways, Transportation and Waste Management (Highways)
 East Midlands Electricity Board
 Severn Trent Water Limited.

Development Plan Policies:-

Central Government Guidance

Planning Policy Statement 1: Delivering Sustainable Development (PPS1) refers to the delivery of sustainable development through the planning system. It advises that planning policies should protect and enhance the environment, promote high quality design and reinforce local distinctiveness.

Planning Policy Guidance Note 3: Housing (PPS3) advises local planning authorities to promote developments that combine a mix of land uses and makes the most efficient use of land. It advises that local planning authorities should reject poor design and that applicants for housing development should be able to demonstrate how they have taken account of the need for good layout and design and how their proposals reflect the guidance set out in the Planning Policy Statement.

The Structure Plan

The Leicestershire, Leicester and Rutland Structure Plan 1996-2016 (adopted 7th March 2005) states in Strategy Policy 10 'Good Design' that good design will be promoted by ensuring that development provides for efficient use of land in a manner which satisfactorily acknowledges environmental and amenity interests and protects or enhances the form, character and distinctiveness of the built and natural environment.

The Local Plan

The site lies within the settlement boundary for Hinckley in the adopted Hinckley and Bosworth Local Plan.

Policy RES5 of the Local Plan states that planning permission will only be granted for new residential development on sites not specifically allocated in the Local Plan for housing provided they lie within an urban area and their siting, design and layout does not conflict with the relevant plan policies.

Policy BE1 of the adopted Local Plan states that the Borough Council will seek to ensure a high standard of design in order to safeguard and enhance the existing environment and that planning permission will be granted where the development complements or enhances the character of the surrounding area with regard to design, materials and architectural features, and is not prejudicial to the comprehensive development of a larger area.

REC3 New Residential Development - Outdoor Play Space for Children requires the appropriate level of open space to be provided within development sites or, alternatively, a financial contribution to be negotiated towards the provision of new recreation facilities

within the vicinity of the site or towards the improvement of existing facilities in the area. Supplementary Planning Guidance (October 2002) gives further advice regarding the provision of Play and Open Space. Green Space Strategy (October 2005 - updated 2007) sets out the vision for green space provision and identifies priorities and targets for improving parks and countryside service.

Policy T5 of the adopted Local Plan refers to the application of highway design and vehicle parking standards.

The Borough Council's adopted Supplementary Planning Guidance on New Residential Development (July 1997) provides further guidance for developers on density, design, layout, space between buildings and landscaping/boundary treatments along with highways and parking. The main aims of the guidance are to ensure that new developments are well integrated into their surroundings and offer a good standard of security and amenity to future residents whilst protecting the amenity of existing occupiers. Housing developments should make efficient use of land and be of appropriate density taking into account the general character of the surrounding area and the provision of necessary open spaces. Layout should seek to maximise amenity and visual interest and provide safe and convenient vehicular and pedestrian access.

Appraisal:-

Principle

The site lies within the settlement boundary for Hinckley therefore residential development is considered acceptable in principle.

Layout and Design

The street scene consists a mix of both commercial and residential development, varying from dormer bungalows to three storey buildings all set back from the road frontage. The site area is 700m² and currently occupies a large detached dwelling positioned centrally within the plot. The southern and western boundaries are densely planted with mature trees and shrubs. The north eastern boundary is splayed as it adjoins the highway boundary on the corner of Coley Close and Station Road. A boundary fence and planting is positioned along the boundary and a relatively deep grassed area and footpath is located forward of that. The front elevation facing Station Road is staggered, a large, centrally positioned gable is proposed to be sited within 1m of the highway boundary with 2m set back elements either side. An amenity area of approximately 68 square metres is located to the north east of the site with three car parking spaces abutting it, a further 11 spaces are located along the boundary to 17 Coley Close.

In principle the replacement of the dwelling fronting onto Station Road with a three storey building is acceptable. However, in order to re-establish the existing street scene the siting of the building would need to reflect the set back nature of the existing adjoining development. Given the proposed layout of the site and proximity of the adjacent neighbour No. 17 Coley Close together with the sites very prominent location on Station Road/Coley Close corner and as an end-stop to Springfield Road, a simple set back of the building would generate additional concerns therefore an entire re-working of the scheme is necessary. The application did not include street scene plans, indications of the relative heights of neighbouring properties or levels. These details have been requested.

With regard to the impact of the proposal on neighbouring properties; the properties most immediately affected by the development are Nos. 17 Coley Close and 1-6 Royal Court. Given the internal layout of the building and siting of the developments, with mature planting along the common boundary it is considered that the amenities of the occupiers of Royal Court would not be significantly affected by this development. No 17 Coley Close is

a dormer bungalow located to the rear of the site. The proposal would involve the removal of an existing mature hedge planted along the common boundary which currently screens the development from the application site. A 2m high post and panel fence is proposed to replace the hedge. Given the location of the car parking spaces, which extend along the entire boundary to No. 17 and the proximity of the three storey development to that property (some 13m) it is considered that the development would be detrimental to the amenities of the occupiers of that dwelling.

Financial Contributions

The site is within 400 metres of public play and open space, therefore a financial contribution of £9,928 towards the provision and maintenance of informal public play and open space will be required in line with policy REC3 of the adopted Hinckley and Bosworth Local Plan, the Council's Play and Open Space Guide together with the objectives of both the adopted Green Space Strategy.

Conclusion

It is considered that although the principle of development is acceptable, significant amendments to the layout and siting of the development would be required to receive a more favourable recommendation. The agent has requested that the scheme be assessed in its current form given the scale of the requested amendments. The scheme is therefore recommended for refusal as it is considered unacceptable in terms of its layout, siting and impact of adjacent property.

RECOMMENDATION :- REFUSE, for the following reasons :-

- 1 In the opinion of the Local Planning Authority the layout and siting of the development, particularly the distances between the dwellings and the location of the car parking provision along the common boundary to No. 17 Coley Close would adversely affect the residential amenities currently enjoyed by the occupants of that property. Therefore, the proposal would be contrary to Policies BE1 of the adopted Hinckley & Bosworth Local Plan.
- 2 In the opinion of the Local Planning Authority the proposal would result in a dominant form of development within the street scene by virtue of its siting, scale and mass thereby having a detrimental and adverse impact on the character of the area. It is therefore contrary to Policies BE1 and RES5 of the adopted Hinckley and Bosworth Local Plan and Supplementary Planning Guidance: New Residential Development adopted by Hinckley and Bosworth Borough Council.
- 3 In the opinion of the Local Planning Authority, the lack of any financial contribution to address the increase in pressure placed on the existing play and open space facilities would not accord with the Local Planning Authority's Supplementary Guidance on Play and Open Space adopted in October 2002 and policy REC3 of the adopted Hinckley and Bosworth Local Plan.

Contact Officer:- Cathy Horton Ext 5605

Item: 05

Reference: 07/01183/FUL

Applicant: Mr R Sherring

Location: 27 Keats Lane Earl Shilton Leicester Leicestershire LE9 7DQ

Proposal: DEMOLITION OF EXISTING BUILDING AND ERECTION OF 6 DWELLINGS AND 3 FLATS WITH ASSOCIATED PARKING AND RECREATIONAL SPACE

Introduction:-

The application relates to a former factory and warehouse site located to the south side of Keats Lane, Earl Shilton. The site is currently covered by a brick built building with an area for limited parking to the front of the site. The site is surrounded by residential units with some existing employment units on Keats Lane to the north-east. A public footpath runs down the west side of the site.

Planning permission is sought to demolish the existing factory and construct 9 residential units on the site consisting of 6 two-bedroomed dwellings, 2 one bedroomed flats and a two bedroom flat. The flats are to be located over 7 garages each with a parking space to the front of them. Two further parking spaces are located to the north of the garages resulting in a total of 18 parking spaces.

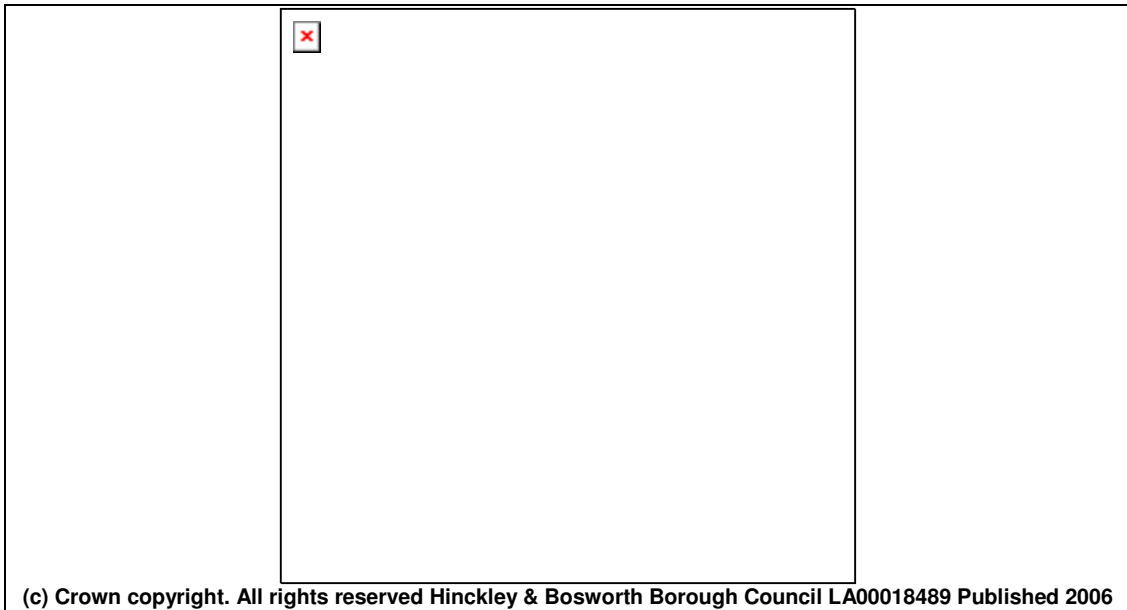
An access road is proposed from Keats Lane into the site splitting it in two. To the front of the site, located to the west of the access road, a pair of semi detached properties are proposed. Within the site, to the east of the access road, a terrace of four two storey dwellings are proposed with gardens backing onto Keats Close; the end dwelling having an attached garage to the side. To the west of the access road, 7 garages with three flats over are proposed, the rear wall of which forms the boundary with the public footpath. A small area of amenity space is provided for the flats to the south of the site measuring 7 square metres.

A design and access statement has been submitted stating that the proposal would cater for a mixture of different family types, the design has taken account of the surrounding developments and the bulk and mass of the factory unit as existing. Consideration has also been given to maintaining the privacy of the existing surrounding residents which has influenced the position of windows and orientation of the buildings.

History:-

Various permissions associated with the factory/ warehouse use.

06/01248/FUL	Erection of 6 dwellings and 3 flats	Withdrawn	10.01.07
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Consultations:-

Severn Trent Water and The Director of community Services (rights of way) have no objections subject to conditions.

The Environment Agency have objected to the proposal due to the absence of a desk top study submitted with the application.

Two letters of representation have been received objecting to the proposal on the following grounds:-

- a) Loss of privacy due to increased overlooking.
- b) Damage to land.
- c) Health and safety concerns due to wall being demolished.

At the time of writing the report no response has been received from Director of Highways, Transportation and Waste Management, Head of Health and Environment or the Borough Councils Land Drainage Engineer.

Development Plan Policies:-

Structure Plan

Adopted Leicestershire, Leicester and Rutland Structure Plan 1996-2016. Strategy Policy 10 requires developments to acknowledge amenity and environmental interests.

Housing Policy 5 considers the density and design of new residential development and requires a minimum density of 40 dwellings per hectare.

Accessibility and Transport Policy 7 ensures new development complies with maximum standards for car parking.

Local Plan

Adopted Hinckley and Bosworth Local Plan Policy RES5 evaluates new residential development in terms of location and compliance with other relevant Local Plan policies. The site is located within the settlement boundary.

Policy BE1 considers the design and siting of development in terms of the form, mass and scale and development reflecting the surrounding area and the effect of the development on the amenities of neighbouring properties.

Policy REC3 requires outdoor play space for children to be provided for new residential development.

Policy T5 requires highway and parking provisions to be in accordance with guidance produced by Leicestershire County Council Highways documents.

EMP1(c) permits the change of use of certain existing employment sites due environmental problems being, or have been experienced. .

Appraisal:-

The site is designated as employment use within the adopted local plan and falls within Policy EMP 1(c). This encourages such sites to be redeveloped where environmental problems have, or are being experienced. The principle of the proposal is acceptable being located within the settlement boundary and would redevelop an old factory site which is surrounded by residential properties.

Layout

The site is constrained by the surrounding existing residential development which has dictated the layout so as not to effect the amenities of neighbouring properties. This has resulted in a brick wall forming an end to the development as seen from the road. Ideally in design terms, a focal point should be provided by a feature building adding interest. However, it is considered that changing the layout of the site would result in greater harm to the adjoining residents. A compromise is to recommend a condition for a piece of public art to be installed against the wall, the details of which are to be submitted and approved at a later date. Therefore there are not considered to be any overlooking issues associated with the site.

The height of the existing factory building varies from walls of approximately 4m in height to just under 2m with a pitched roof to the main building. Although the proposed dwellings are higher than the existing structures, (houses are 8.5m to ridge and flats 7.5m to ridge) the ground area covered by the structures would be reduced, resulting in a decrease in massing and providing a more open aspect to the neighbouring properties. Due also to the orientation of the proposed development it is not therefore considered that the proposal would have a detrimental impact on the daylight and sunlight currently enjoyed by neighbouring properties.

Design

The designs of the dwellings are simple and functional reflecting the traditional workers terrace cottages on Keats Lane and more recent development in Keats Close. The garage and flat block are dominated by the garages at ground floor and windows to the flats have been designed at eaves level with gables over, breaking up the eaves line. The elevation to the public footpath would have no windows proposed however interest is provided by mock bricked up windows. The flank elevation to plot 2 has been amended to add a window to break up the visible brickwork of the side elevation. The design reflects that of the surrounding area in terms of mass, size and detail and is therefore considered acceptable.

Highway Issues

At the time of writing, the consultation period had not expired and no comments from Leicestershire County Highway have yet been received.

A total of 18 car parking spaces are proposed at a ratio of 2 per dwelling. All of the dwellings except one are to be provided with garages. The number of spaces and turning provision within the site is acceptable and therefore the proposal complies with Policy T5 of the Local Plan. The Highway Authorities comments are awaited and will be reported as a late item.

Contributions

A contribution is required towards provision and maintenance of open space within 400m of the site in compliance with Policy REC3 of the local plan. Hall Fields and Wood Street fulfil these criteria and therefore a contribution of £11,169 is required.

Other issues

Objections from neighbouring properties have been received objecting to the wall of the factory being demolished which forms the boundaries to adjoining properties. It is felt that this would result in damage to private property and a safety risk to users of that property. This is not a planning matter that can be taken into account as part of the application process.

The Environment Agency have objected to the proposal due to the lack of an desk top environmental report. The applicant is currently undertaking the report. It is therefore recommended that the application be approved subject to a satisfactory report being received before the eight week target date.

Guidance requires a minimum of 10 square metre of amenity space per flat. This proposal falls short of this standard. However it is considered that the location of the proposal in close proximity to the open countryside and two open spaces this, in its self would not constitute a reason for refusal.

Conclusion

The principle of redeveloping the site is considered acceptable. The proposed scheme does not result in increased overlooking or loss of light to neighbouring properties and subject to amendments on design issues, the scheme is in keeping with the character of the area. The proposed parking complies with standards.

RECOMMENDATION:- That subject to a contaminated land report being received including satisfactory mitigation to overcome any issues raised, the Head of Culture and Development be granted powers to issue planning permission subject to the conditions below. Failure to provide the report before 11.12.2007, may result in the application being refused:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.
- 3 This permission relates to the application as revised by amended plan **** received by the Local Planning Authority on ****.
- 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 have been submitted to and

agreed in writing by the Local Planning Authority. The approved proposed ground levels and finished floor levels shall then be implemented in accordance with the approved details.

- 5 The development hereby permitted shall not commence before the provision and maintenance of off-site open space or facilities whether by off-site physical provision or financial contributions as required in accordance with policy REC2 and REC3 of the adopted Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide has been secured in such a manner as is approved in writing by the Local Planning Authority.
- 6 The use of the garage(s) shall remain at all times for the purpose of parking a motor vehicle and shall not be converted to additional living accommodation, unless otherwise agreed in writing with the Local Planning Authority.
- 7 Before the development hereby permitted commences details shall be submitted and agreed in writing by the Local Planning Authority of an art piece to provide a focal point to the central point of the southern boundary wall of the site. The agreed structure or artwork shall be installed in accordance with the approved details and retained at all times thereafter.
- 8 Before the development hereby permitted commences, details of the proposed boundary treatments shall be submitted to and approved in writing by the local planning authority. The details shall be implemented as approved before any of the proposed dwellings are occupied.
- 9 Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no windows shall be inserted in to plots 3 or 6 as shown on plan.

Reasons :-

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.
- 3 For the avoidance of doubt.
- 4 To safeguard amenities of neighbouring properties to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.
- 5 To ensure the provision of adequate play and open space within the vicinity of the site in accordance with Policy REC3 of the Hinckley and Bosworth Local Plan.
- 6 To ensure that adequate off-street parking facilities are available to accord with policy T5 of the adopted Hinckley & Bosworth Local Plan.
- 7 To enhance the design and appearance of the scheme in accordance with Policy BE1 of the Hinckley and Bosworth Local Plan.
- 8 To ensure the privacy of the adjoining properties and to ensure that the appearance of such treatments is acceptable in accordance with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.
- 9 To protect the amenities of neighbouring residents in accordance with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.
- 4 Your attention is drawn to footpath U85 which abuts the western boundary of the site. You will be responsible for ensuring that the line of the footpath is not affected by any other operations associated with the development, and that free access can be exercised safely by pedestrians at all times. Pedestrians should be safeguarded from the site by a stout security fence.

If it is necessary for any works to be carried out within the confines of the footpath the County Council's consent to these should be obtained before they are commenced. You should contact the Rights of Way inspector for the area, Mr A Perry (telephone 01530 513333).

- 5 Condition 5 refers to public open space. In accordance with the Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide public open space should be provided either on site, or a contribution made towards off-site provision. In this instance a contribution of £11, 169 is required towards the provision of off-site public open space.

Contact Officer:- Sarah Humphries Ext 5680

Item: 06

Reference: 07/01219/COU

Applicant: Mr J Andrews

Location: Springhill Farm Higham Lane Wykin Hinckley Leicestershire

Proposal: CHANGE OF USE FROM AGRICULTURAL TO COMMERCIAL /

STORAGE (REVISED SCHEME)

Introduction:-

This is an application for the change of use of two agricultural buildings and one area of land to storage/warehouse use. The application is retrospective in part, and is a resubmission following refusal of an application for change of use of five 'units' from agricultural use to storage/warehousing.

The buildings are modern farm buildings, located within the farmyard complex which is accessed from a track, approximately 280 metres in length from Higham Lane. The farm is surrounded by agricultural land located a short distance from the village of Wykin.

Unit 1 (330 m2) currently used by a barge repairer

Unit 2(330 m2) currently in agricultural use

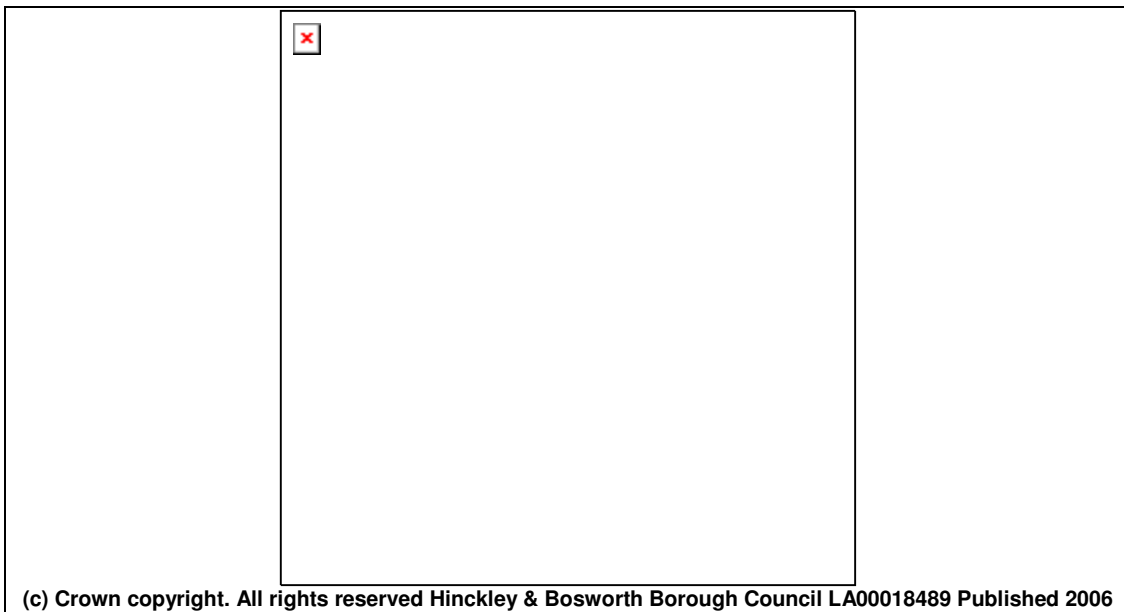
Area 3 (270 m2) currently used for the storage of vintage machinery will be cleared and is proposed to be used for caravan storage.

At the time of writing the report, the building being used for car storage and the area of caravan storage applied for in the previously refused application, were still being utilised and form part of an on-going enforcement investigation.

Supporting evidence has been submitted on behalf of the applicant stating that this application forms part of the diversification of the farm. The site is accessed by a wide driveway and sufficient parking can be provided within the site. The proposed hours of operation are 9.00am to 5.00pm daily. It is anticipated that there will be 3 vehicle movements associated with the use per day.

History:-

88/00052/4	Proposed lake with island wholly used for coarse fishing	Approved	23.02.88
88/01582/COU	Change of use of agricultural land to fishing lake	Approved	02.02.89
89/00799/FUL	Conversion of redundant buildings to two dwellings, studio flat and extension to existing dwelling	Approved	28.11.89
02/00123/GDO	Erection of Agricultural Building	Approved	19.02.02
05/00084/GDO	Extension to existing barn	Approved	23.02.05
07/00756/CLU	Certificate of Lawful Existing Use for the storage of vintage tractors and engines	Approved	15.08.07
07/00752/COU	Change of Use of five agricultural 'units' to storage/warehouse use	Refused	29.09.07



Consultations:-

No responses have been received at the time of writing the report from:-

Director of Highways, Transportation and Waste Management (highways)
Environment Agency
Director of Historic and Natural Environment (Archaeology)
Director of Property (Senior Land Agent)
Land Drainage Engineer.

Site notice posted and neighbours notified.

Development Plan Policies:-

National Planning Policy

Planning Policy Statement 7 (PPS7) 'Sustainable Development in Rural Areas' supports the reuse of appropriately located and suitably constructed existing buildings within the countryside. PPS7 seeks to ensure that development in the countryside is sustainable. PPS7 recognises that diversification from agriculture into non-agricultural activities is vital to continue the viability of many farm enterprises. Annex E of PPS7 also gives guidance on permitted development rights for agricultural holdings, and states that any applications made under part 6 of the GPDO must be 'verified' in order to ensure that buildings are required for agricultural purposes.

Planning Policy Guidance Note 4 (PPG4) Industrial and Commercial Development and Small Firms' states that whilst industrial and commercial development is important to the economy, planning applications must be determined after due consideration is given to the Development Plan.

Structure Plan Policies

Strategy Policy 8 states that the countryside will be protected for its own sake and development in such areas will only be acceptable if the general appearance and character of the landscape is safeguarded or enhanced. Built development should be well integrated in relation to existing development. Development will be limited to: small scale development for employment or leisure; dwellings essential for agricultural needs; land-extensive outdoor recreation uses that do not include substantial built development; and agricultural buildings.

Local Plan policies

The site is located within the open countryside as identified in the adopted Hinckley & Bosworth Local Plan.

Policy NE5 stipulates that the countryside will be protected for its own sake; however, it also states that the re-use of existing buildings within the countryside may be acceptable in principle, subject to there being no adverse affect on the appearance or character of the landscape and it is effectively screened by landscaping or other methods.

Policy BE1 of the Local Plan seeks to ensure a high standard of design in order to secure attractive development and to safeguard and enhance the existing environment. Development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features, Development should incorporate landscaping to a high standard and ensure adequate highway visibility for road users and adequate provision for parking and should not adversely affect the occupiers of neighbouring properties.

Policy BE20 focuses on the re-use of rural buildings, including those for employment purposes, provided that there is no adverse affect on the landscape, highway safety, protected wildlife habitats, nor the design, character, appearance and setting of the building. The building should be capable of conversion without significant alterations, extensions or rebuilding; and the amenities of nearby residents and future occupiers shall not be adversely affected.

Policy T5 seeks to apply the County Council highway standards and parking targets when considering new development.

Appraisal:-

Key Issues

The main issues are whether the buildings are still required in connection with the agricultural holding, whether the proposal has a detrimental impact upon the character and setting of the open countryside and whether traffic movements to and from the site cause, or are likely to cause, detriment to highway safety.

Agricultural Need

National policy promotes the diversification of existing agricultural buildings in rural areas for employment purposes. Policy BE20 of the Hinckley and Bosworth Local Plan does consider the re-use of agricultural buildings for employment purposes and owing to the type and scale of the uses proposed in this rural location the scheme would accord with the aspects of this policy apart from the highway requirements.

As part of the consultation for the previous refused, application, the County Land Agent's advice was such that, if the application were to be approved, there may well be applications for additional farm buildings in the future, which may well create a proliferation of modern buildings in the open countryside. This revised application omits one building (200 m2 floor space) to remain for agricultural use but proposes that two buildings (total floor space 660 m2) are approved for warehouse/storage. The application is not in the spirit of policy guidance. The intention of the General Permitted Development Order notification process that allows farmers to erect agricultural buildings under their permitted development rights was not intended for these buildings to be converted to commercial uses only a short time later and then expect further agricultural buildings to be permitted under the General

Permitted Development Order. It was to enable holdings that were either no longer viable or sustainable to be able to diversify.

Impact on Countryside

The site is situated in an area where the countryside is protected for its own sake as designated within the adopted Hinckley & Bosworth Local Plan. The buildings are well screened from the road, and the two large units, constructed within the last five years, are of modern construction not unlike industrial units in appearance. The storage area is screened by existing buildings to some extent on two sides but storage use in this location would have a detrimental impact on the open countryside as it is not well screened to the north and east.

Highway Safety

The advice of the County Highway Officer in relation to the previous application was to refuse it on the grounds of potential unacceptable increased traffic onto Higham Lane, and the applicants failure to demonstrate that an appropriate and safe vehicular access would be provided. Comments are awaited on this revised scheme.

Precedent

It should be noted that the following applications have previously been permitted for change of use at Oaklands Farm which is situated to the west, of the site closer to Wykin village.

94/00574/FUL	Agricultural Building	Approved	12.08.94
00/00931/COU	Change of use of agricultural building to B1, B2 and B8 Industrial use	Approved	04.01.01
03/00762/COU	Change of use of agricultural building to Class B1 and Class B8 Industrial units	Approved	23.08.03

However, it should also be noted that there was no objections from the County Highways on the two latest applications.

Conclusion

The outside storage area is considered to have a detrimental impact on the open countryside as it is not well screened, although it may be possible to mitigate this by suitable boundary treatment and landscaping.

The previous comments of the Director of Property (Senior Land Agent) are still relevant in relation to the continuing need for buildings in connection with the agricultural holding. If the existing agricultural buildings are granted planning permission for a change of use to storage/warehouse, either the present or future owners may have a need in future for new agricultural buildings to replace those lost. It would then be difficult to resist future applications for further agricultural buildings as they may well be reasonably necessary for the purposes of the agriculture.

Any further comments received, particularly in relation to highway safety will be reported to the meeting as a late item.

RECOMMENDATION :- REFUSE, for the following reasons :-

- 1 In the opinion of the Local Planning Authority, the use of the outside storage area would form an unwarranted and unacceptable development which would have an adverse effect upon the appearance and character of this part of the open countryside. It is therefore contrary to policy SP8 of the Leicestershire, Leicester and Rutland Structure Plan (adopted March 2005) and policies NE5 and BE20 of the adopted Hinckley and Bosworth Local Plan (February 2001).

- 2 In the opinion of the Local Planning Authority, if approved, the proposal may result in future applications for additional agricultural buildings as there is a continuing need for agricultural buildings on this holding. It is therefore contrary to policy NE5 of the adopted Hinckley and Bosworth Local Plan (February 2001).

Contact Officer:- Mrs L Forman Ext 5682

PLANNING COMMITTEE - 20 NOVEMBER 2007

REPORT OF THE HEAD OF CULTURE AND DEVELOPMENT
RE: APPEALS LODGED AND DETERMINED

1. **PURPOSE OF REPORT**

To inform Members of appeals lodged and determined since the last report.

2. **RECOMMENDATION**

That the report be noted.

3. **BACKGROUND TO THE REPORT**

3.1 **Appeals Lodged**

3.1.1 Appeal by Mr Manders and Mrs Hill against the refusal of planning permission (07/00319/FUL) for the erection of a single storey dwelling at 10 Leysmill Close, Hinckley (written representations).

3.1.2 Appeal by Mr and Mrs Argyle against the refusal of planning permission for the formation of a vehicle access at 63 Newbold Road, Barlestone (written representations)

3.1.3 Appeal by Mr Petty against the refusal of planning permission for the proposed demolition of existing hotel and 2 no. flats and erection of 24 no. residential apartments including vehicle access and parking at Elmlea, Ashby Road, Hinckley (public inquiry).

3.1.4 Appeal by Mr K Thorpe against the refusal of planning permission to renew temporary permission 04/00412/TEMP for the erection of a mobile home for an agricultural worker at Spinney Bank Farm, Higham Lane, Stoke Golding (written representations).

3.1.5 Appeal by Mr Deer against the demolition of the existing dwelling and erection of replacement dwelling at Meadow View, Lychgate Lane, Aston Flamville (written representations)

3.2 **Appeals Determined**

3.2.1 Appeal by Mr Corbett against conditions imposed on a planning permission determined at committee, on 10th October 2006, for change of use of agricultural land to landing and taking off of Microlight Aircraft at Cottage Farm, Cottage Lane, Norton-Juxta-Twycross. The conditions appealed against were condition 1, relating to time limitation condition for the use, condition 3, limiting take-offs and landing to be between 09:00 and 18:00 hours Monday to Saturday, condition 5, limiting the number of take-offs and

landings in one day, condition 6, restricting the types of flying, and condition 10 restricting testing on the airstrip.

3.2.2 The inspector considered that the main issues to be the effect of the proposed change of use on the living conditions of nearby occupiers, with regard to noise and intrusion. The inspector noted the noise and disturbance of the use, frequency and hours of use, overlooking and loss of privacy, background noise levels in the vicinity and noise evidence submitted.

3.2.3 It was concluded that conditions 1, 3, 4, 6 and 10 be deleted and substituted with the following conditions.

1. The use hereby permitted shall be discontinued and the land restored to its former condition on or before two years from the date of this decision,
2. Take-offs from and landings on to the site shall not take place outside the following hours, except in an emergency: 08:00- 19:30 hours, Mondays to Saturdays; and 09:00-19:30 hours on Sundays and Bank Holidays.
3. The use hereby permitted is for the taking off and landing of microlight aircraft only and no business or commercial uses, microlight club, training school or training facilities shall operate from the site at any time.
4. Within one month of the date of this decision, details of signage to be erected at the site, to alert users of the nearby bridleway and footpath of low-flying microlight aircraft, shall be submitted to and approved in writing by the local planning authority. The signage shall be erected in accordance with the approved details and retained as such for the duration of the permission.

4. **FINANCIAL IMPLICATIONS (AB)**

All costs incurred and costs recovered will be met from existing 2007/2008 Revenue Budgets.

5. **LEGAL IMPLICATIONS**

None

6. **CORPORATE PLAN IMPLICATIONS**

None

7. **CONSULTATION**

None

8. **RISK IMPLICATIONS**

None

9. **RURAL IMPLICATIONS**

None

10. **CORPORATE IMPLICATIONS**

None

Background Papers: Appeal Decisions

Contact Officer: Sarah Humphries ext 2580

PLANNING COMMITTEE - 20 NOVEMBER 2007

REPORT OF HEAD OF CULTURE & DEVELOPMENT
RE: APPEALS PROGRESS

1. PURPOSE OF REPORT

- 1.1 To inform Members of the progress on appeals - details of which are attached.

2. RECOMMENDATION

- 2.1 The report be noted.

3. FINANCIAL IMPLICATIONS

- 3.1 None

Background Papers:

Contact Officer: Tracy Darke, extension 5692

PLANNING APPEAL PROGRESS REPORT

SITUATION AS AT: 09.11.07

WR - WRITTEN REPRESENTATIONS

IH - INFORMAL HEARING

PI - PUBLIC INQUIRY

FILE REF	CASE OFFICER	APPLICATION NO	TYPE	APPELLANT	DEVELOPMENT	SITUATION	DATES
07/00004/PP 07/00016/ENF	AG	06/00731/COU	WR	Richard Joseph Timson	49 Park Road Hinckley	Awaiting Decision	
07/00015/PP	BW	06/00995/FUL	IH	HC Wakefield (Builders) Ltd	Land Adj 5 Church Walks Stoke Golding Nuneaton	Hearing Date	12.12.07
07/00021/PP	SC	07/00173/FUL	IH	Speymill Odd Ltd	White Gables Farm Fenns Lanes Fenny Drayton	Hearing Date	15.01.08
07/00022/ENF	DW	06/00226/UNUSE	PI	Branagans (International) Ltd	3 Market Place Hinckley	Public Inquiry	20.11.07
07/00025/PP	TM	06/00980/OUT	PI	SWIP Ltd	Nailstone Colliery Wood Road Nailstone	Public Inquiry	27.11.07 (6 days)
07/00027/PP 07/00031/ENF	DG/AG	06/01365/FUL 07/00155/BOC	WR	K Wileman	54 Portland Drive, Hinckley	Awaiting Decision	
07/00029/PP 07/00030/LB	BW	06/01427/FUL 06/01428/LBC	IH	Juliet Perry David Leslie	The Green 28 Church Street Burbage	Hearing Date	TBA
07/00032/PP	RW	07/00188/FUL	IH	Yeoman Street Development Co Ltd	Caldecott House Leicester Lane Desford	Hearing Date	TBA
07/00033/PP	PM	07/00659/OUT	WR	Mr & Mrs Astill	3 The Square Bagworth	Awaiting Decision	
07/00034/TREE	DB	07/00442/TPO	WR	Mr & Mrs AG Rossa	14 St Michaels Close Markfield	Awaiting Decision	
07/00035/PP	SC	07/00304/FUL	WR	Mr GM Collin	107 Main Street Congerstone	Comments	16.11.07
07/00036/PP	SC	07/00450/FUL	WR	Mr C Stevens	The Old Barn Drayton Lane Fenny Drayton	Comments	26.11.07

FILE REF	CASE OFFICER	APPLICATION NO	TYPE	APPELLANT	DEVELOPMENT	SITUATION	DATES
07/00037/PP	PM	07/00475/OUT	WR	Mr B Lewis	17 Marigold Drive Burbage	Comments	28.11.07
07/00038/PP	DW	07/00368/FUL	IH	David Wilson Homes	Mill Hill Business Centre 5 Mill Hill Road Hinckley	Statement of Case Comments Hearing	14.11.07 05.12.07 08.01.08
07/00039/ENF	JC	07/00031/BOC	PI	Patrick Godden	Tomlinsons Boarding Kennels & Canine Centre Upper Grange Farm Ratby Lane Markfield	Statement of Case Comments Inquiry Date	13.11.07 04.12.07 28.05.08 TBC
07/00040/PP	SC	07/00319/FUL	WR	Mr Manders and Mrs Mills	10 Leysmill Close Hinckley	Statement of Case Comments	19.11.07 10.12.07
07/00041/PP	LF	07/00658/FUL	WR	Mr and Mrs P Argyle	63 Newbold Road Barlestone	Statement of Case Comments	23.11.07 14.12.07
07/00042/PP	SC	07/00620/FUL	PI	Mr R Petty	Elmlea Ashby Road Hinckley	Statement of Case Comments	04.12.07 25.12.07
07/00043/PP	LF	07/00814/TEMP	WR	Mr K Thorpe	Spinney Bank Farm Higham Lane Stoke Golding	Statement of Case Comments	05.12.07 26.12.07
07/00044/PP	PM	07/00544/FUL	WR	Mr S Deer	Meadow View Lychgate Lane Aston Flamville Hinckley	Statement of Case Comments	05.12.07 26.12.07

PLEASE NOTE: ALL LOCAL INQUIRIES MUST BE ARRANGED WITH DOE THROUGH THIS OFFICE

DECISIONS RECEIVED FOR THE FOLLOWING APPEALS

06/00044/COND	AG	06/00863/COU	IH	Mr DW Corbett	Cottage Farm Cottage Lane Norton Juxta Twycross Atherstone	ALLOWED	23.10.07
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