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Hinckley & Bosworth
Borough Council

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

Date: 07 June 2023

To: Members of the Planning Committee

Cllr MJ Crooks (Chair)	Cllr C Gibbens
Cllr J Moore (Vice-Chair)	Cllr CE Green
Cllr CM Allen	Cllr E Hollick
Cllr RG Allen	Cllr KWP Lynch
Cllr CW Boothby	Cllr LJ Mullaney
Cllr SL Bray	Cllr H Smith
Cllr MA Cook	Cllr BR Walker
Cllr DS Cope	Cllr A Weightman
Cllr REH Flemming	

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **PLANNING COMMITTEE** on **TUESDAY, 6 JUNE 2023** at **6.30 pm**.

Yours sincerely

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

Rebecca Owen
Democratic Services Manager

PLANNING COMMITTEE - 6 JUNE 2023

SUPPLEMENTARY AGENDA

7. 22/01203/FUL - 2A CLARENDON ROAD, HINCKLEY

Application for loft conversion and replacement roof to increase HMO capacity from four to six (use class C4).

Late items received after preparation of main agenda:

Consultations:-

On 26 May 2023, a member of the public raised the following concerns:

- If the proposed off-street parking spaces have been removed from the current planning application for highway safety reasons, is the parking provision along Clarendon Road also dangerous?

It is noted by the Planning Officer that, as the parking arrangements along Clarendon Road are existing, this is not considered to be a material concern for the determination of the current planning application. The Local Highway Authority have provided advice on the current application, which states that the provision of off-street parking at 2A Clarendon Road, Hinckley is likely to exacerbate the current highway issues along Clarendon Road. Any existing highways issues along Clarendon Road are matters that should be resolved separately via Leicestershire County Council.

- The development is likely to worsen the existing wind tunnel effect along the private road between 2A and 2 Clarendon Road.

It is noted by the Planning Officer that, given the height of the existing dwelling, the increased height of 2A Clarendon Road by 0.8m is unlikely to result in a significant adverse impact on the existing wind tunnel situation.

- Concerns over the exact height of the raised roof.

The Planning Officer notes that the development increases the existing roof height by 0.8m, as stated within Paragraph 2.2 of the Officer's Report. The development must be built in accordance with the approved plans, and this secured via Planning Condition 02. If the Applicant does not build the property in accordance with the approved plans, then this will become a matter for the Planning Enforcement Department.

- The large rear dormer may have a significant adverse impact on the residential amenity, of 2 Clarendon Road such as loss of light on the main side windows of the property, which has been in place since 1907.

The Agent for this application has highlighted that the first-floor side window on 2 Clarendon has been constructed without planning permission, and in contrary to the limitations of Permitted Development Rights after 2019. This concern has been

confirmed via historic Street View images. Following further investigation, the Planning Officer also notes that the windows on the ground floor have only been implemented without planning permission since 2019. Given the age of the property, these new windows are not considered to be the principal windows to any habitable room. A site visit was undertaken to assess the impact of the application on the property, and this impact is detailed within Paragraphs 8.12 and 8.12 of the Officer's Report.

The same member of the public has also raised concerns regarding the issues within the application site, which include:

- Anti-social behaviour concerns such as drug dealing.
- Children's safeguarding concerns.
- Existing tenants of 2A Clarendon Road are parking on private property not belonging to the dwelling.
- The existing tenants leave their bins on public pathway, which leads to the obstruction of the pavement.
- Failure to display house number signage.
- The hedge belonging to 2A Clarendon is encroaching on the public pathway.

It is noted by the Planning Officer that any existing issues relating to 2A Clarendon Road, Hinckley are not considered to be material considerations for the determination of the current planning application. Whilst these concerns have been appropriately raised, issues regarding anti-social behaviour and safeguarding should be reported to the Police, Social Services, the relevant Departments within the Council and Leicestershire County Council.

No further late items have been received.

10. **23/00239/FUL - EXTRA ROOM SELF STORAGE, DRAYTON GRANGE FARM, DRAYTON LANE, FENNY DRAYTON**

Application for proposed extension to self-storage unit (B8 use: storage and distribution).

Late items received after preparation of main agenda:

Introduction:-

Neighbours do not touch the red edged site boundary of the site and so did not need to be notified by letter but due to the level of interest letters of notification were sent out by the Council to neighbours along Church Lane as a courtesy. All letters, even late ones, were accepted & summarised

Consultations:-

Six further letters of objection have been received since the publication of the reports. They are summarised as below;

1st late item summary from an objector

- Fenny Drayton is a rural hamlet and the proposed is not in keeping with a rural setting.

- The access road is narrow and has weight restrictions
- Traffic will be increased through the village
- Is this land of heritage interest being ridge and furrow land?

2nd late item summary from an objector

The points of objection made are similar to other points of objection already summarised & addressed in the report. Any new points have been summarised below:

- The business advertises as being open 7 days a week from 7am until 8pm including Sundays and Bank Holidays. However, vehicles are often visiting the site from 6.30am through to 10pm at night and later in the summer. Regular visitors on Sundays and Bank Holidays
- The Traffic Statement when opened shows the title as Mill Lane, Oldbury as per screenshot attached and can therefore not be relied upon.

(For clarity no planning restrictions were placed on any previous planning permissions that restricted opening hours/ customer access to the site. The reception is only open for limited hours Monday to Friday with a half day on Saturday but the storage area itself is open 24/7)

3rd late item from the agent with Competitor Analysis regarding time restrictions and an email to further clarify

- Currently there are no planning restrictions on opening times but the applicant has established opening hours of 7am to 8pm, 7 days a week. The reception is open much less Why should an extension change this?
- There have been no complaints regarding the current opening times
- Being open 24/7 is important in terms of marketing and being able to offer the same as competitors. The majority of storage facilities within the area, such as Hinckley Storage offer 24/7 access to its customers
- This is not to say that customers will access their storage at night. Evidence has been provided showing that the proposal will generate just 9 additional vehicle trips per day and that these trips will be spread across the day
- Unrestricted access hours is simply an important selling point for the business as it gives customers peace of mind that they can get something if they really need it.
- The reception hours are also unrestricted at present and the applicant had hoped that offering a limit on these would appease local concerns
- The access hours that the applicant has set to date are 7am to 8pm, 7 days a week
- As the self storage industry in the UK matures and becomes more competitive however, the applicant does intend to extend these opening hours in response to the demands of a select number of business customers e.g. musicians, DJs, event organisers, mobile mechanics, some retailers etc.
- The applicant is also aware of local competition and the access hours other businesses are offering most of whom offer 24/7 access. This is an important marketing tool as it gives all storage customers peace of mind that they can access their things if they really need to.
- A restriction on opening hours would make the business case for the extension more difficult to justify given that there is currently no hours restriction on the existing site and the applicant could eventually operate with 24/7 access.

- The agent would also draw your attention to the officer's report from the original planning application 11/00331/COU which stated, "*The nearest residential properties are those on the edge of Fenny Drayton, to the east of the site. However as these properties are in excess of 180m away, there are considered to be no adverse impacts on their amenity in terms of noise or disturbance from the proposed use. Hours of operation have been proposed by the applicant however as the adjacent farm has an unrestricted use and due to the distance of the proposal from surrounding residential properties, it is considered unreasonable in this instance to impose an hours restriction. Accordingly, in terms of residential amenity the proposal is considered acceptable.*"

4th late item was a letter of objection.

The main summarised points of objection are:

- There are already so many storage units in the near area
- Drayton Lane is already a rat run between the A444 and the A5. This will make it worse
- There is no room or a proper access for commercial vehicles

5th late item was a letter of objection.

The main summarised points of objection are:

- Increased volume & traffic flow through the lanes of the village will lead to incidents/ more danger on village roads
- This development should be re-directed to a brown field site in an Industrial area

6th late item was a letter of objection.

The main summarised points of objection are:

- Traffic has been increasing steadily in recent years
- There is no footpath on Old Forge Road
- The Village needs affordable homes for its young people not self storage

Recommendation:-

Amendment to Condition 3

Further to an email received from the agent.

Condition 3: *The operating hours of the storage facility shall remain as they are for the existing business with the reception hours being Monday to Friday 08.30 to 18.00 & Saturday 09.00 to **15.00** only & the interconnected facility (self-storage area) with no condition governing hours of operation.*

Reason: To ensure there are no adverse impacts on the amenity of the occupiers of neighbouring properties and to ensure the visual amenity of the countryside to accord with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD.

No further late items have been received.

11. **22/00527/OUT - LAND SOUTH OF 295 MAIN STREET, STANTON UNDER BARDON**

Outline application for proposed development of up to 50 dwellings (all matters reserved, except access).

Late items received after preparation of main agenda:

Consultations:-

One further letter of objection has been received from Cllr Harris since the publication of the reports as summarised as below;

“Due to being a newly elected Councillor for HBBC, an application has recently been brought to my attention. Application 22/00527/OUT. I would request, if possible, my concerns be raised in the planning committee meeting due to take place this evening, as a late item. My concerns are those of Stanton under Bardon’s Parish council’s back in 2022.”

Stanton under Bardon Parish Council objected to the application in 2022 for the following reasons:

- The application makes no reference to the Public Right of Way (R19), which crosses the site.
- Highway safety concerns: Additional traffic from 50 houses is, “Unsustainable.”
- Both accesses to the site are located either near to a junction or a bend. The Parish Council considered that access and egress from the site by large vehicles, such as refuse lorries, will require the full width of the carriageway to enable them sufficient turning, which is likely to be a hazard.
- Main Street in Stanton under Bardon has several pinch points where parking further restricts road width.
- Increasing pressure on existing infrastructure Stanton under Bardon Primary School is not able to accommodate additional pupils. Nearby villages such as Markfield and Thornton are also under pressure due to the increased number of properties in the area.
- The Severn Trent Water sewage facility on Thornton Lane is already under severe pressure, and is known to overflow, which causes effluent to enter the water course and the reservoir system. There have been 147 instances of overflow into the brooks in the last 12 months.
- Significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside, contrary to Policy DM4 and Policy DM9 of the SADMP.

- The development is outside of the settlement boundary. The development exacerbates ribbon development. Residential development does not safeguard the Borough's natural and semi-natural open spaces. The site is not contiguous with the current settlement boundary and is considered to be a standalone site.
- Unsustainable location for development.
- Limited and poor bus services through Stanton under Bardon. The only facilities available to residents are two churches, the village hall, and one public open house. The community shop closed in March 2020."

On 25 May 2023, Stanton under Bardon Parish Council have again objected to the application for the following reasons:

- The site is outside of the Settlement Boundary as determined in the Site Allocations and Development Management Policies DPD. The site does not appear on the plan shown in within this document. The site is not contiguous with the current boundary of the village and, thus, would be a standalone site.
- The development of the site would be contrary to Policy DM4 of HBBC's SADMP. This policy aims to safeguard the countryside with certain exceptions. The site would have a significant adverse effect on the intrinsic value, beauty open character and landscape character of the countryside. It will exacerbate ribbon development.
- The development is contrary to Policy DM9 which aims to safeguard the natural and semi-natural open spaces. The construction of housing would not meet the criteria for exception to this policy.
- The application makes no reference to the right of way R19 which crosses the site.
- Main Street Stanton under Bardon has several pinch points where parking further restricts road width. Additional traffic from 50 houses would be unsustainable.
- The community shop closed in March 2020 and there are currently no plans to reopen. The only facilities available to residents is two churches, the village hall and one public house.
- The bus service through Stanton under Bardon is poor, with only four buses per day and none on Sundays. The first arrival in Coalville is 0925 and in Leicester 0825 making it unsuitable for workers.
- Stanton under Bardon school is an Edwardian building with some more recent additions. Despite the erection of some 98 houses over the last ten years, there has been no increase in the size of school. The school hires the Village Hall during the winter to give additional space for exercise purposes. The school would not be able to accommodate additional pupils. Nearby villages such as Markfield and Thornton are also under pressure due to the increased number of properties either under construction or under consideration for planning.
- The services to Stanton under Bardon are under severe pressure. Severn Trent Water regularly send tankers to empty the storage tanks at the sewage facility on Thornton Lane. This facility is known to overflow, causing effluent to enter the water course and, ultimately, the reservoir system. There have

been 147 instances of overflow into the brooks recorded in the last 12 months.

- Both accesses to the site are located either near to a junction or bad bend. Access by large vehicles such as refuse lorries requires the full carriageway to enable them sufficient turning. This is a road hazard.

1.1. Policy 19 of the Core Strategy identifies standards for play and open space within the borough. Developments should accord with the policy and provide acceptable open space within the development, or if that is not possible contribute towards the provision and maintenance of open space off site. The Open Space and Recreation Study 2016, updates these standards and also identifies the costs for off-site and on-site contributions. In line with the up-to-date standards identified in the 2016 study the table below identified the requirements for open space, which is provided on site and what would be the requirements off site.

1.2. On 06 June 2023, the Council's Compliance and Monitoring Officer advised that that the following provisions should be provided via S106 Agreement, and off-site contributions where on-site provision cannot be fully provided:

Table 1: Off-Site Provision of Open Space (POS) for up to 50 Dwellings						
	Provision per Dwelling (2.4 People per Dwelling)	Sqm to be Provided	Off-site Provision per sqm	Provision Contribution	Maintenance Contribution per sqm (Based on 10 Years Off-Site)	Maintenance Contribution
Equipped Children's Space	3.6	180	£181.93	£32,747.40	£87.80	£15,804.00
Casual/ Informal Play Spaces	16.8	840	£4.44	£3,729.60	£5.40	£4,536.00
Outdoor Sports Provision	38.4	1920	£9.05	£17,376.00	£4.30	£8,256.00
Accessible Natural Green Space	40	2000	£4.09	£8,180.00	£7.10	£14,200.00
			Provision total	£62,033.00	Maintenance total	£42,796.00

[Table 1: Open space requirements.]

Table 2: On-Site Provision of Open Space (POS) for up to 50 Dwellings						
	Provision per Dwelling (2.4 People per Dwelling)	Sqm to be Provided	Off-site Provision per sqm	Provision Contribution	Maintenance Contribution per sqm (Based on 10 Years Off-Site)	Maintenance Contribution
Equipped Children's Space	3.6	180	£181.93	£32,747.40	£165.60	£31,608.00
Casual/ Informal Play Spaces	16.8	840	£4.44	N/A	£175.60	£9,072.00
Outdoor Sports Provision	38.4	0	£9.05	£0.00	£8.60	£0.00
Accessible Natural Green Space	40	2000	£4.09	N/A	£14.20	£28,400.00
			Provision total	£32,747.40	Maintenance total	£69,080.00

[Table 2: Open space requirements.]

- 1.3. The Open Space and Recreation Study (2016) requires developments of 10-200 dwellings to provide equipped open space on site with all dwellings within 100m of a LAP and 400m of a LEAP. The Open Space and Recreation Study (2016), highlights that deficiency in formal open space, amenity green space and facilities for teenagers in Stanton under Bardon.
- 1.4. The illustrative site layout shows that the residents of the development would be within 400m of an existing LEAP, but no LAP is currently suggested to be provided within the site. The other areas of open space on site are areas of casual/informal play and accessible green space.
- 1.5. The policy requirement would be for 180sqm of on-site equipped play, but there is existing provision nearby (STA05 – Stanton Under Bardon Recreation Ground) with a quality score below the required 80%. However, on-site provision is preferred.
- 1.6. The policy requirement of up to 840sqm is preferably provided on site and will include a LAP. An on-site maintenance contribution is applicable for this provision.
- 1.7. No on-site outdoor sports provision is made and so a contribution is required towards off-site provision at STA05 – Stanton Under Bardon Recreation Ground plus maintenance, which has a quality score below the required 80%.
- 1.8. The majority of the open space on site is to consist of accessible natural green space. A total of 2000qm is required from 50 dwellings, and on on-site maintenance contribution is applicable for this provision.

- 1.9. Given that the application is for outline planning permission, the sums of money above are indicative and will be dependant of final layout submissions, however, any agreed s106 would obligate the developer to provide the minimum policy requirements.
- 1.10. The developer will also be obligated to provide and then transfer the on-site open space area to a management company, or, in the alternative, request that either the Borough Council or the Parish Council maintain it. If the land is transferred to the Borough Council or Parish Council, the open space area would be transferred to the relevant authority together with a maintenance contribution.
- 1.11. The provision of Play and Open Space is required for compliance with Policies 12 and 19 of the Core Strategy and Policy DM3 of the adopted SADMP. These Policies are consistent with the NPPF in helping to achieve the social objective of sustainable development through promoting healthy and safe communities as addressed in section of 8 of the NPPF. The provision of play and open space helps support communities' health, social and cultural well-being and is therefore necessary. Core Strategy Policy 12 requires development in Stanton under Bardon to address existing deficiencies in the quality, quantity and accessibility of green space and play provision. Policy 19 sets out the standards to ensure all residents within the borough, including those in new development have access to sufficient high quality accessible green spaces.
- 1.12. Using the adopted Open Space and Recreation Study (2016) the obligations and contributions directly relate to the proposed development. The extent of the Open Space and Recreation contribution and provision is directly related in scale and kind to the development and its impacts upon surrounding publicly accessible open spaces. The delivery of these obligations is policy compliant and has been applied fairly as with all development of this typology, the developer is not obligated to provide anything above policy compliant position and therefore the contribution relates in scale and kind.

No further late items have been received.

12. 21/01191/HYB - LAND SOUTH OF THE A5, PADGE HALL FARM, HINCKLEY

Hybrid application comprising outline application (all matters reserved except for site access from the A5) for the demolition of existing structures and the erection of distribution and industrial buildings (use class B2 and B8) including ancillary offices and associated earthworks, infrastructure and landscaping; a full application for the development of a distribution building (use class B8), including ancillary offices with associated access, hard standing, parking, earthworks and landscaping. The proposals include improvements to increase the height clearance of the existing railway bridge on the A5 Watling Street. A cross boundary application with Rugby Borough Council and Nuneaton and Bedworth Borough Council (EIA development).

Late items received after preparation of main agenda:

Recommendation:-

Additional planning condition proposed for HGV routing:

The units hereby permitted shall not be occupied until a HGV routing plan has been submitted to and approved in writing by the Local Planning Authority. The routing plan shall identify the appropriate routes including on the strategic road network to be used to access the site.

Reason: To ensure safeguarding of residential roads from HGV traffic in accordance with Policy DM17 of the Site Allocations and Development Management DPD.

No further late items have been received.

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