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Hinckley & Bosworth
Borough Council

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

Date: 20 November 2024

To: Members of the Planning Committee

Cllr MJ Crooks (Chair)	Cllr C Gibbens
Cllr J Moore (Vice-Chair)	Cllr SM Gibbens
Cllr CM Allen	Cllr CE Green
Cllr RG Allen	Cllr E Hollick
Cllr CW Boothby	Cllr KWP Lynch
Cllr SL Bray	Cllr LJ Mullaney
Cllr MA Cook	Cllr H Smith
Cllr DS Cope	Cllr BR Walker
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, 19 NOVEMBER 2024** at **6.30 pm**.

Yours sincerely

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

Rebecca Owen
Democratic Services Manager

SUPPLEMENTARY AGENDA

7. **24/00654/FUL - 502 COVENTRY ROAD, HINCKLEY**

Application for conversion of existing garage into a separate dwelling and alterations (resubmission of 23/00666/FUL).

Late items received after preparation of agenda:

Introduction:-

Since the publication of the report it has been noted that the Site Location Plan included within the report was incorrect, therefore please see the correct Site Location Plan below:



8. **24/00484/OUT - LAND EAST OF LEICESTER ROAD, EARL SHILTON**

Outline application for the erection of up to 33 dwellings including affordable housing, public open space, landscape planning, sustainable drainage system and new access arrangements from the unnamed road.

Late items received after preparation of agenda:

Recommendation:-

On 15 November 2024, the Applicant agreed to the following additional planning condition:

“Any forthcoming Reserved Matters application shall include details of external lighting across the site (including on any non-adopted highways and footpaths). This information shall include a layout plan with beam orientation, a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles), and details of its maintenance and operation. The external lighting shall then be installed, maintained, and operated in accordance with the approved details prior to the first occupation of the development.”

Reason: *To ensure a satisfactory form of development and to create places that are safe, inclusive, and accessible, which promote health and well-being, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 135 of the National Planning Policy Framework (December 2023)."*

10. **24/00627/CONDIT - EXTRA ROOM SELF STORAGE, DRAYTON GRANGE FARM, DRAYTON LANE, FENNY DRAYTON**

Application for removal of condition 3 attached to planning permission 23/00239/FUL.

Late items received after preparation of agenda:

Consultations:-

Witherley Parish Council:

Since the publication of the report the following comments have been received from Witherley Parish Council;

- "1. Traffic travelling through the village at all hours of the night with noise and headlamp pollution*
 - Most people using cars for family purposes will travel to/from the storage facilities during weekday daytimes/evenings and daylight hours at weekends.*
 - Most night time traffic is likely to be commercial - vans and light trucks (under 7.5t) - with higher levels of noise and with headlamp pollution than car traffic.*
 - The premises would become a 24/7 'distribution hub' functionally, not a mere storage centre.*
- 2. The above situation would become exacerbated once the current owner builds five houses for which planning permission is already granted at Rookery Farm, with boundary on to the Extra Storage facility ie the future residents will be affected in addition to all those currently affected, and for which the condition was imposed.*
- 3. The same business owns a storage facility at the Redgate junction on the A5 which is removed from the residential area and for which extension has been applied. This would be a far more suitable location for 24/7 day operation.*
- 4. Condition 3 current restrictions overlap with local bat population feeding times in that area. Bat Conservation Trust provides guidance that feeding areas – not just roosts - should be protected from lighting and disruptive activities. 24/7 operation, and with visiting vehicles described as above, would generate such adverse effect.*
- 5. Very importantly, the reasons for which the original conditions were imposed have not changed; point 2 suggests that retaining condition 3 is more needed than ever when considering quality of life and number of*

affected residents adjacent to Extra Storage property.”

11. **22/00661/FUL - MULBERRY FARM, HIGH STREET, STOKE GOLDING**

Application for demolition of the existing Mulberry Farm buildings, retention of Mulberry Farmhouse and proposed erection of 25 residential units with associated parking facilities, amenity space, landscaping, village green pond and paddock.

Late items received after preparation of agenda:

Introduction:-

As requested by members, please find a revised site layout plan below which shows the lighting provision on site.



Consultations:-

LCC Planning Obligations Team:

Since the publication of the report the following revised comments have been received from the Planning Obligations Team at LCC. They are no longer objecting and accept the lower amount being offered by the applicant.

“Leicestershire County Council Consultation Response – Planning Obligations

Proposal Demolition of the existing Mulberry Farm buildings and proposed erection of 25no. residential units with associated parking facilities, amenity space, landscaping, village green, pond and paddock

At

Location Mulberry Farm, High Street, Stoke Golding, Nuneaton, Leicestershire
(Revised response)

Summary of REVISED Infrastructure Requirements Infrastructure Category	Location / Description	Amount
Waste	Barwell HWRC	£408.62
Libraries	Hinckley Library	£249.13
Primary Education	St Margaret's Church of England Primary School, Stoke Golding	£39,204.01
Secondary Education	Redmoor Academy	£21,317.39
Post 16 Education	The Hinckley School	£4,555.87
Total		£65,735.02

Please note these figures represent the revised contribution requests as agreed, following a viability challenge submitted by the applicant.
Please refer to the previous response dated 01.08.2023 for a full breakdown of the original requests.

Please Note

- An assessment of highways and transport issues will be carried out as part of the planning application. The Local Highway Authority will provide comments separately to this response and will set out any requirements for planning conditions or obligations to mitigate the impact of the development, in accordance with paragraph 55 of the NPPF.
- In the event that the requested developer contributions are not supported by the local planning authority or in circumstances where the applicant is disputing the requests that have been made, please inform the LCC case officer as a matter of urgency.
- To ensure that the contributions requested are not devalued because of rising construction costs (e.g. materials or labour), we request that where appropriate, the point at which indexation applies will be calculated from the date any subsequent legal agreement is completed.
However, for contributions relating to Education (including primary, secondary, early years and special education), indexation will be calculated at the date of the latest costs review (1 July 2021).
Early Years Education will be indexed at the latest cost multiplier review, which was 1 June 2023.
Where a costs review is carried out after a consultation response has been provided, but before planning permission is granted, indexation will apply from the date of the latest costs review.

Background

This response has been prepared on behalf of Leicestershire County Council. It sets out all requirements except those from the Local Highway Authority, which will be provided separately.

The response has regard to the National Planning Policy Framework (NPPF) 2023. This includes the requirement that development can be made acceptable through

the use of conditions or planning obligations and the need to only include planning obligations where it is not possible to address unacceptable impacts through a planning condition. The request for planning obligations has regard to paragraph 57 of the NPPF, which states that planning obligations must only be sought where they meet the three tests.

The County Council's approach to requesting developer contributions as part of the planning application process is set out in its Planning Obligations policy (July 2019). This document was produced following stakeholder consultation and should be treated as a material consideration when dealing with planning applications. The County Council's response has been prepared having regard to the Local Planning Authority's development plan and other material planning considerations. Please contact the case officer, whose details are at the top of this letter, if any further information is required in support of this request.

Additional Information

Monitoring Fees

The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 allow for a sum to be paid in respect of the cost of monitoring planning obligations. In this respect the county council charges £300.00 or 0.5% depending upon which is the greatest for each planning obligation.

For large scale developments of more than 500 dwellings, a negotiated monitoring fee may be appropriate to reflect the costs and time associated with monitoring. This will be discussed when the S106 is being prepared.

Review of Response

This response reflects LCC's requirements for developer contributions, calculated at the date at the top of this response. In the event that planning permission is not granted (with a signed S106 agreement) within 12 months of the date of this response, the Local Planning Authority is requested to re-consult Leicestershire County Council to check whether there have been any material changes to circumstances that affect the required developer contributions.

Please inform the LCC case officer in the event that the requested developer contributions are not supported by the local planning authority or in circumstances where the applicant is disputing the requests that have been made."

Stoke Golding Parish Council:

Since the publication of the report the following comments have been received from Stoke Golding Parish Council:

"This is an update on the planning application based on a meeting between Stronghold Homes and Stoke Golding Parish Council on 7th November 2024. The Planning Committee on 24th September asked Stronghold Homes to reconsider some aspects of their application and the updated position as discussed at the meeting on 7th November is set-out below.

Lack of any affordable housing

Stronghold Homes continue to maintain affordable housing is not financially viable. The Parish Council pointed out that properties in Stoke Golding (and other similar locations like Burbage and Market Bosworth) command substantial premiums over

equivalent homes in Hinckley. Further, with Mulberry Farm, they have one of the most desirable spots in the village with its views over the battlefield land to Dadlington. Combined with the attractive designs, this should mean they obtain very strong prices.

Stronghold Homes referred us back to the viability assessment (which they were unwilling to share) but acknowledged the viability had not been calculated on the prices they expected for the 25 planned homes but on representative selling prices for the area. Given the Government imperatives on this, the Parish Council believes this matter needs further consideration by Stronghold Homes.

Much reduced S106 contribution

The same points as above apply to this issue.

Housing mix and the lack of smaller, starter units

Stronghold Homes defended their mix on the grounds of affordability. However, there are almost three times as many four and five bedroomed homes in the application compared with the target proposed by the Neighbourhood Plan. Pricing was briefly discussed with Stronghold Homes and some of these will be near, or above, one million pounds. This is primarily a luxury home development which will be way beyond the reach of villagers.

The proposed development intrudes into undeveloped battlefield land

Registered Battlefield land to the north of the allocated site is now being proposed for gardens and some parts of the proposed housing; to the south, some battlefield land is also being proposed for housing plots and a car park. The Parish Council believes the plans should be scaled back to fit within the site allocated in the Neighbourhood Plan, which was clearly set-out in Policy SG3 of the Plan. Stronghold Homes maintains this is not possible because it affects the financial viability.

The proposal extends beyond the Settlement Boundary in the 'made' Neighbourhood Plan

Comments as above.

The proposal violates the Countryside policy in the Neighbourhood Plan

Also, comments as above.

Damage to the Ridge and Furrow Earthworks

The site as proposed would damage the medieval ridge and furrow earthworks in the paddocks to the north, which is contrary to NP Policy SG14.

Unclear position with the unadopted roads

Leicestershire County Council wrote to say the proposed road layout does not conform to an acceptable standard for adoption and therefore it would not be considered for adoption and future maintenance by the Local Highway Authority. Clarification is required. For roads not adopted, what is being proposed for maintenance, refuse collection and street lighting? Mention was made prior to the meeting about possibly having a bin collection point but this seems improbable given the size of the development and the high-end valuations of the properties.

Discrepancies against the Neighbourhood Plan

At the earlier Planning Committee, it was hoped that a revised proposal from Stronghold Homes would result in only minor discrepancies, with minimal impact, against the Neighbourhood Plan. However, the cumulative impact of the eight above issues represents a significant contravention of the Plan.

Conclusion

The Parish Council fully supports development of the site and recognises the quality of design in the proposed development by Stronghold Homes. However, more work is required by the developer and agent to address the matters above. There has been negligible progress since the previous Planning Committee meeting.”