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Hinckley & Bosworth
Borough Council

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

Date: 21 January 2025

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 SL Bray	Cllr KWP Lynch
Cllr MA Cook	Cllr LJ Mullaney
Cllr DS Cope	Cllr H Smith
Cllr REH Flemming	Cllr BR Walker
	1 vacancy

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, 21 JANUARY 2025** at **6.30 pm**.

Yours sincerely

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

Rebecca Owen
Democratic Services Manager

PLANNING COMMITTEE - 21 JANUARY 2025

SUPPLEMENTARY AGENDA

7. 24/00461/REM - LAND SOUTH OF MARKFIELD ROAD, RATBY

Application for approval of reserved matters (appearance, landscaping, layout and scale) for outline application 22/00648/OUT for residential development of up to 75 dwellings alongside associated site infrastructure, open space and discharge of condition 2.

Late items received after publication of the agenda:

Leicestershire Police

Subsequent to the drafting of the Committee report, a consultation response was received from Leicestershire Police dated 13 January 2025 (further to a round of re-consultation on the revised plans).

The Police have no objections, but request a condition in respect of Secured By Design measures. It is considered by the local planning authority that the condition is unnecessary as the revised plans incorporate good design measures as required by the Council's Design SPD, and therefore, the request by the Police for these details by means of condition has already been addressed at the reserved matters stage.

Updated Conditions

The agent has requested that Conditions 3 and 4 be amended in order to allow for a phased implementation as due to the number of dwellings on site, it is likely, and reasonable, that some earlier dwellings may be occupied before the parking and drainage facilities are fully built for the entirety of the site. The reworded conditions are as follows:

3. Prior to the first occupation of each of the residential units hereby granted permission, the parking and turning facilities for each dwelling shall have been implemented in accordance with McBains drawing numbers LWRAT MCB ZZ ZZ DR A 0235 D5 Rev. P3 (Parking Strategy Plan) and LWRAT MCB ZZ ZZ DR A 0232 D5 Rev. P3 (Surface Materials Plan). Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

4. Prior to the first occupation of each of the residential units hereby granted permission, 1 metre by 1 metre pedestrian visibility splays have been provided on both sides of the private driveways or shared private drive

serving each plot. Nothing within these splays shall be higher than 0.6 metres above the level of the back of the footway/verge/highway and, once provided, these splays shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF.

Further to paragraph 8.15 of the report, additional comments have been received from HBBC's waste team in respect of the applicant's refuse plan, raising questions about the location of bin collection points. To ensure this matter is considered thoroughly at the discharge of conditions stage, the following condition will be added.

9. Notwithstanding the details as submitted, a refuse plan shall be submitted to and approved in writing by the local planning authority prior to any above ground development. The plan shall make provision for waste and recycling storage and collection across the site. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details.

Reason: To ensure the bin collection points on site are accessible for refuse collectors and not detrimental to the overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. **24/00139/FUL - LAND NORTH OF DEEPPDALE FARM, LUTTERWORTH ROAD, BURBAGE**

Full planning application for the provision of additional 23 residential dwellings including vehicular access, landscaping, drainage and all other associated works.

Late items received after publication of main agenda:

Infrastructure Contributions

The applicant has confirmed that on-site open space across the wider site shall be transferred to a management company and therefore the 'On-site Open Space Maintenance' contribution of £3,797.76 is no longer necessary.

Additional contributions for the provision of equipped play space have been sought. An additional £15,063.80 to account for the additional 23 units has been agreed.

Additional Resident Objection

Since publication of the report an additional objection has been received from a resident. The objection reiterates many of the concerns already outlined in paragraph 5.2 of the report.

In addition, concerns are raised that the application has already been considered by the Planning Inspectorate and refused, however, as detailed in paragraphs 4.1-

4.4 of the report the outline application was allowed by the Planning Inspectorate. The objection also states that the land provides a green space which is accessible to local people, however, there is no public access to the site. Other concerns are outlined with regards to Nimbyism, however, this is not a material planning consideration.

Updated Conditions

The below conditions have been updated/amended since publication of the report:

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

Location Plan dwg. no. BURB_400
Planning Layout dwg. no. BURB_101 Rev P06
Materials and Boundary Treatment Plan BURB_201 Rev P05
Garage Type SG1-4 Single Garage Front Gable Elevations and Floor Plans Rev A
Garage Type SG3-4 Twin Single Garage Hipped Elevations and Floor Plans Rev B
Garage Type SG10-4 Double Hipped Garage Elevations and Floor Plans Rev A
Housetype Elevations and Floorplans DH200VE-5, DH301GE-5, DH302VE-5,
DH313B-5, DH318B-5, DH409GH-5, DH425GG-5, DH430B-5, DH501G-5,
AH16GE-5, AH21GE-5, AH31GE-5

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

3. The development hereby permitted shall not be occupied until such time as a full scheme of soft landscaping works for the site, including an implementation and management scheme, has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall be in general accordance with the submitted Soft Landscape Proposals plan dwg.no. GL119901 Rev A and in full accordance with any subsequently approved Biodiversity Enhancements and Mitigation Plan. Thereafter the scheme shall be carried out in full accordance with the approved landscaping, implementation and management scheme.

The soft landscaping scheme shall be retained and maintained for a minimum period of five years from the date of planting with the exception of the trees planted within Plots 141-149 which shall be retained and maintained for a minimum of ten 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.

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

Condition 8, Bin collection points: An additional plan has been received detailing waste collection points for the outstanding plots 150 and 151. The HBBC waste team are reviewing this and if this is judged to be acceptable the condition should be amended to the below, if unacceptable the previous condition will be retained.

8. The bin collection points (BCPs) shall be implemented in accordance with the approved details on Planning Layout dwg. No BURB_101 Rev P06 prior to the first occupation of the dwelling to which they relate. Thereafter the BCPs shall be maintained as such in perpetuity.

Reason: To support the policies within the Wheeled Bin and Container Policy (updated March 2018) and to ensure that there is adequate provision of waste and recycling storage so that the amenity of the occupants of the proposed development are not adversely affected in accordance with Hinckley and Bosworth Borough Council's Wheeled Bin and Contained Policy (updated March 2018), Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Section 46 of the Environmental Protection Act 1990.

Condition 9, Construction and Environmental Management Plan: the construction environmental plan has been agreed for the wider site and compliance with this is covered under condition 10. Condition 9 can be deleted and conditions 10 onwards shall be renumbered.

10. The construction of the development hereby approved shall be in accordance with the Construction Management Plan details submitted to and approved by the Local Planning Authority to discharge condition 11 and 25 of application 19/01405/OUT under application 23/00872/DISCON namely:

- Davidsons Homes, 'Construction Environmental Management Plan - Lutterworth Road, Burbage ', dated August 2023; and
- Davidsons Homes drawing number: BURB_600, 'Build Route & Traffic Management Plan', dated August 2023.

Reason: To protect the amenities of the occupiers of residential properties throughout the construction of the development, to reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users and to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with Policy DM7, DM10 and DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (December 2024).

9. **23/01182/FUL - ALLBAR SPORTS, TRINITY LANE, HINCKLEY**

Application for change of use from cinema (sui generis) to 40 one-bedroom apartments (use class C3) with associated car parking and landscaping.

This item was deferred at a previous meeting and therefore no public speaking will be permitted in accordance with the council's constitution.

Late items received after publication of the agenda:

Objections

A further objection has been received from a member of the public who has previously objected to the development. The new objection letter reiterates the lack of parking facilities in the vicinity of the application site, and that the amount of on-street parking is causing harm to the Hollycroft Conservation Area.

The objection also highlighted that there is a vacant piece of land near Druid Street that could be utilised for additional parking, but the details of which, nor who owns the land, have not been provided.

Local Highway Authority

The Local Highway Authority reiterated on 21 January 2025 that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the submitted details, the Local Highway Authority did not consider the proposal to conflict with Paragraph 116 of the National Planning Policy Network (2024), subject to four planning conditions and two planning obligations.

The Local Highway Authority have advised that whilst the revised Leicestershire Highway Design Guide recommends that off-street vehicle parking is provided on the basis of two spaces for each Use Class C3 units, this guidance does not account for site specifics or the specific natures of the proposal.

Given the above, it remains the Local Highway Authority's view that the proposed development would not result in hazardous on-street parking in the vicinity, and that an unacceptable impact on highway safety could not be demonstrated in the context of Paragraph 116 of the National Planning Policy Framework (2024).

Car Parking Permits

The Local Planning Authority has discussed the application with the Council's Street Scene Services Department in relation to the provision of further off-street parking spaces. It was confirmed that residential permits cannot be sought for the Lower Bond Street Car Park.

However, the Street Scene Services Department confirmed that additional off-site and off-street parking could be provided through Residential Parking Permits (RPS) and Long-Term Parking Season Permits (LTPSP) being secured via a Section 106 Agreement.

Residential Parking Permit (RPS)

The Council's Street Scene Services Department confirmed that ten permits for designated resident parking spaces can be provided per street for their closest respective car park. In this instance, only resident of Trinity Lane has a RPS and therefore the Council can provide up to nine RPSs for the Old Vicarage Car Park for an annual fee of £55. However, the future residents can only apply for an RPS once they are living in the proposed development.

Long-Term Parking Season Permit (LTPSP)

The Council's Street Scene Services Department confirmed that up to 20 Long-Term Parking Season Permits (LTPSP) could also be provided at an annual cost of £375. This would allow future residents to utilise any of the existing long-term car parks in Hinckley at any time, with the exception of Castle Street Car Park. However, LTPSP's do not guarantee the future residents of the scheme a parking space.

Section 106 Suggested Wording

It is considered appropriate that the Applicant initially provides additional offsite parking spaces. The information above sets out the total on-site and offsite capacity for up to one space per flat.

The Applicant has agreed to either initially purchase up to 28 car parking permits or provide bus passes and travel packs. This will need to be secured via a S106 agreement and the Local Planning Authority consider it reasonable for any future resident to have to contribute to the cost of their requested permit if needed. The exact wording of this obligation is to be agreed by the Head of Planning.

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