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Chief Executive



**Hinckley & Bosworth
Borough Council**

Date: 23 April 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

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Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **PLANNING COMMITTEE** on **TUESDAY, 22 APRIL 2025 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. 24/01090/REM - LAND OFF DESFORD LANE, RATBY

Application for approval of reserved matters (access, appearance, landscaping, layout and scale) of outline planning permission 21/01295/OUT for 225 dwellings (including 40% affordable housing) with public open space, landscaping and sustainable drainage systems (SuDS) and a vehicular access point.

Late items received after preparation of main agenda:

Following publication of the report the applicant has submitted slightly revised plans that improve interface distances and has made submissions regarding garden sizes.

Further to paragraph 8.24 of the report, the applicant has confirmed that just four plots or 1.7% of the number of dwellings, fall short of the 21m and 14m interface distances. With regard to the standard 21m interface distance between habitable room windows, this is deficient in just one place where a distance of 19.7m is provided. There are two plots where the habitable room windows face a two storey gable at the distance of less than 14m with the greatest shortfall being 3.2 metres. Officers consider that on a development of this size, this very small degree of non-compliance with guidance is acceptable.

Further to paragraph 8.23 of the report, the applicant has confirmed that the shortfall in the garden sizes for 20 of the dwellings ranges between 6sq.m and 32.9sq.m. 21 dwellings meet the Good Design Guide guidance and 184 exceed it by up to 130.6sq.m. Taken together, the gardens exceed the standards, and it is pointed out that it is a benefit of the development that a variety of garden sizes is provided and that 184 of the dwellings have gardens that exceed the guidance. Furthermore, the Council's Good Design Guide does not require gardens to be provided for one-bedroom properties and in this instance all six one-bed properties are provided with their own small private gardens. Officers consider that on a development of this size, where the vast majority of dwellings are provided with gardens that in some cases are more than double the size required, the small number of dwellings that have gardens that do not meet guidance is, on balance, acceptable.

The applicant has confirmed that in their view further changes to the scheme to adjust garden sizes would be to the detriment of the scheme as a whole and that therefore, given that gardens sizes are the subject of guidance and not policy, no further changes to the scheme are reasonable or necessary. Officers consider that the scheme that is now before members, which has now been amended four times to improve the layout, represents a high quality scheme that is well-designed and provides a high level of open space and that taken as a whole, provides a sufficiently high level of amenity to future occupiers.

The applicant has confirmed that all plots will have solar panels.

Recommendation:-

Finally, with regard to the conditions, Condition 1 is updated to reflect the latest revised plans, Condition 2 should be reworded to clarify that a dwelling can be occupied once it's parking and turning facilities have been provided. Condition 6 is the same as Condition 8 of the outline permission and so can be removed. Condition 7 requires rewording as the S106 Agreement sets out the timetable for completion of the public open space, which is at 75% occupation. Condition 8, now condition 7, is reworded so that the Rights of Way scheme is provided at floorplate level rather than being a pre-commencement condition. Condition 9 is removed given that Condition 13 of the outline permission requires the submission of a lighting scheme. The condition is reworded and attached as a note to applicant in the interests of clarity that lighting is required to private roads. Condition 11, now 9, is updated to reflect the latest revised plan. Condition 12, now condition 10, is reworded to remove the requirement for every bird and bat box and hedgehog gap to be photographed. The amended conditions are included below.

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application drawings as follows:
 - Site Location Plan 082404-BEL-EM-06 (submitted 29.11.24)
 - Supporting Planning Layout 082404-BEL-EM-02 Rev C (11.04.25)
 - Detailed POS Planting Plan – General Arrangement 12963-FPCR-XX-XX-DR-L-0005 Rev P03 Sheet 1 of 4 (submitted 08.04.25)
 - Detailed POS Planting Plan 12963-FPCR-XX-XX-DR-L-0006 Rev P02 Sheet 2 of 4 (submitted 19.02.25)
 - Detailed POS Planting Plan 12963-FPCR-XX-XX-DR-L-0007 Rev P01 Sheet 3 of 4 (submitted 19.02.25)
 - Detailed POS Planting Plan – General Arrangement 12963-FPCR-XX-XX-DR-L-0008 Rev P01 Sheet 4 of 4 (submitted 19.02.25)
 - Detailed On Plot Landscape Plan 12963-FPCR-XX-XX-DR-L-0009 Rev P02 (submitted 08.04.25)
 - Detailed On Plot Landscape Plan 12963-FPCR-XX-XX-DR-L-0010 Rev P02 Sheet 1 of 7 (submitted 08.04.25)
 - Detailed On Plot Landscape Plan 12963-FPCR-XX-XX-DR-L-0011 Rev P01 Sheet 2 of 7 (submitted 19.02.25)
 - Detailed On Plot Landscape Plan 12963-FPCR-XX-XX-DR-L-0012 Rev P01 Sheet 3 of 7 (submitted 19.02.25)
 - Detailed On Plot Landscape Plan 12963-FPCR-XX-XX-DR-L-0013 Rev P01 Sheet 4 of 7 (submitted 19.02.25)
 - Detailed On Plot Landscape Plan 12963-FPCR-XX-XX-DR-L-0014 Rev P01 Sheet 5 of 7 (submitted 19.02.25)
 - Detailed On Plot Landscape Plan 12963-FPCR-XX-XX-DR-L-0015 Rev P01 Sheet 6 of 7 (submitted 19.02.25)
 - Detailed On Plot Landscape Plan 12963-FPCR-XX-XX-DR-L-0016 Rev P01 Sheet 7 of 7 (submitted 19.02.25)
 - Detailed LEAP Plan 12963-FPCR-XX-XX-DR-L-0003 Rev

- P02 (submitted 13.02.25)
- Detailed Play Trail Plan 12963-FPCR-XX-XX-DR-L-0004 Rev P02 (submitted 13.02.25)
- Landscape Typologies Plan 12963-FPCR-XX-XX-DR-L-0002 Rev P02 (submitted 08.04.25)
- Tenure Layout 082404-BEL-EM-04 Rev B (submitted 02.04.25)
- Boundary Treatment Layout 082404-BEL-EM-04 Rev C (submitted 11.04.25)
- All House Types submitted 29.11.24 and 07.02.25

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

2. The development shall not be occupied until such time as the parking and turning facilities associated with each respective plot have been implemented in accordance with the Supporting Planning Layout 082404-BEL-EM-02 Rev B (02.04.24). Thereafter the on-site 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 and DM18 of the adopted Site Allocations and Development Management Policies Plan.

3. Any dwellings that are served by private access drives (and any turning spaces) shall not be occupied until such time as the private access drive that serves those dwellings has been provided in accordance with the requirements of Leicestershire Highway Design Guide. The private access drives should be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with policy DM17 of the adopted Site Allocations and Development Management Policies DPD and the NPPF.

4. No part of the development hereby permitted shall be occupied until such time as 1.0 metre by 1.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of each private drive/ shared private drive with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

Reason: In the interests of pedestrian safety, and in accordance with policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document and the National

Planning Policy Framework (2024).

5. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway and in accordance with policy DM17 of the adopted Site Allocations and Development Management Policies DPD and the NPPF.

6. The reserved matters hereby approved shall be implemented in accordance with the detailed landscape proposals set out in Condition 1. All public open space landscaping shall be completed with six months of the occupation of the first dwelling. 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.

Reason: In the interests of the amenity of future residents and the character and appearance of the site and surrounding area in accordance with Policy DM10 of the Site Allocations and Development management Policies Development Plan Document (2016).

7. No development above floorplate level shall take place until a scheme for the treatment of the Public Right of Way has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include management during construction, including proposed temporary routes; ensuring plans reflect the correct legally-recorded PRoW alignment; details of metal kissing gates to replace existing any existing stiles; and any new construction works. Physical construction should address width, surfacing, drainage, structures, signposting, and impacts of any landscaping and boundary treatments in accordance with the principles set out in the Leicestershire County Council's adopted Guidance Notes for Developers. Thereafter the development shall be implemented in accordance with the approved scheme and timetable.

Reason: To protect and enhance the Public Right of Way and access in accordance with Paragraph 105 of the National Planning Policy Framework (2024).

8. No new trees or shrubs should be planted within 1 metre of the edge of the Public Right of Way. Any trees or shrubs planted alongside a Public Right of Way should be non-invasive in accordance with Paragraph 105 of the national Planning Policy Framework (2024).

Reason: To protect and enhance Public Rights of Way and access in accordance with Paragraph 105 of the National Planning Policy Framework (2024).

9. Notwithstanding the details shown on the approved Boundary Treatment Layout

082404-BEL-EM-04 Rev B (submitted 02.04.24) no fencing shall be erected on any plot featuring decorative fencing until a sample of the proposed decorative fencing has been submitted to or made available for viewing and approved in writing by the Local Planning Authority. Should the decorative fencing not be approved on any plot it shall be replaced with a brick wall of the same brick used in the construction of the relevant house.

Reason: In the interests of the character and appearance of the site in accordance with Policy DM10 of the Site Allocations and Development management policies Development Plan Document (2016).

10. Prior to development above floorplate level, full details of a scheme for the location of bat roosting and bird nesting features to be integrated into buildings and suitable hedgehog gaps in boundary features shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of any dwelling hereby permitted the features shall be installed on the site in accordance with the approved details.

Reason: In the interests of wildlife and ecology in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the requirements of the National Planning Policy Statement (2024).

8. **22/00882/OUT - LAND ADJACENT TO MIRA TECHNOLOGY PARK, CALDECOTE**

Outline application (all matters reserved) for extension of MIRA Technology Park to comprise employment use (class B2), associated office and service uses (class E g), storage (class B8), new spine road, car parking, landscaping and enabling works (cross boundary application with North Warwickshire Borough Council).

This item has been withdrawn from the agenda.

9. **24/00969/FUL - CATERPILLAR UK LTD, PECKLETON LANE, DESFORD**

Application for reconfiguration and expansion of existing staff car park including new cycle and motorcycle stores and solar PV canopies.

Late items received after publication of main agenda:

Recommendation:-

Condition 3 is to be updated to:

3. Prior to their installation full details of the solar canopies shall be submitted to and approved in writing by the Local Planning Authority. The solar canopies shall then be constructed in accordance with the approved details.

Reason: To ensure a satisfactory form of development in accordance with policies DM2, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and policies H7 and ENV7 of the Desford Neighbourhood Plan (2021).