



Date: 10 October 2013

Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

To: **Members of the Planning Committee**

Mr R Mayne (Chairman)	Mrs L Hodgkins
Miss DM Taylor (Vice-Chairman)	Mr MS Hulbert
Mr RG Allen	Mr KWP Lynch
Mr JG Bannister	Mr JS Moore
Mr CW Boothby	Mr LJP O'Shea
Mrs T Chastney	Mr BE Sutton
Mr WJ Crooks	Mr R Ward
Mrs WA Hall	Ms BM Witherford

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, 23 APRIL 2013 at 6.00 pm.**

Yours sincerely

Rebecca Owen  
Democratic Services Officer

**SUPPLEMENTARY AGENDA**

3. APPLICATION 12/00295/OUT - SUSTAINABLE URBAN EXTENSION, BARWELL (Pages 1 - 6)

Information received since publication of the report is attached.

Barwell Sustainable Urban Extension 12/00295/OUT – Late Items

## Consultations:-

**Consultee Representations**  
Highways Agency (12th April 2013) – No objection

**Neighbour representations**  
10 representations received (14<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, 20<sup>th</sup> and 21st April 2013) objecting on the following grounds;

- Speed humps on Stapleton Lane are not necessary. There is no evidence of speeding along this lane.
- The majority of people oppose the application. It is not an urban area and this development would destroy countryside, increase traffic and change the nature of the village.
- Our elected representatives must reflect our wishes and vote against it. It will destroy our village.
- Both the original Transport Assessment and the Addendum ignores the traffic impact of the SUE on Stoke Golding and the neighbouring villages.
- Questions Leicestershire County Council Highway Authority observations. Consider the observations to be incomplete and too late. The basic point of Highways latest response seems to be that if improvements are made to the strategic road network then traffic will not reroute to the rural road network. Unfortunately there is little or no evidence to substantiate this stance and lots of evidence to the contrary.
- There is still no publicly available evidence that the proposed mitigations will be effective and manage the impact on the rural network to an acceptable level.
- The output from the latest traffic modelling needs to be made public and the public needs a proper opportunity to question, scrutinise and comment.
- The decision must be deferred until the latest information can be properly assessed and an acceptable solution be designed.
- A47 Normandy Way/A447 Ashby Road and A447 Ashby Road/ Hinckley Road/Rogue's Lane signalised crossroads – it is clear that whilst financial contributions may have been agreed there is no final effective design available for traffic at either of these junctions. These are the key junctions on the network to ensure traffic flows on the main trunk network and not on the rural roads. Having done computer modelling to identify the potential rural traffic problem why was the model not run with the proposed highway changes incorporated, to clearly demonstrate that the problems had been solved. There is not one single reference in the LCC Highways comments that identified problems have been resolved. On this basis, if approved there is potential for serious traffic problems in a few years time. Therefore suggest the following condition or something similar is attached to the approval: 'The LCC highway recommendations and proposals are rejected. Highways changes resulting from the Barwell SUE and Earl Shilton SUE should be re-submitted for consideration and approval by the planning committee before development of the SUEs commence. These proposals should clearly demonstrate that the potential impact of the two developments on rural roads has been effectively mitigated'.
- Increase in traffic in Stoke Golding, should be made a 20mph zone and monies available to facilitate effective traffic calming within the village.
- Increase in traffic through Dadlington. People will use it as a rat run to reach their destination.
- Concerned and disappointed to note that the designs of the two junctions on the trunk road that are supposed to encourage drivers to avoid local rat runs

(A447/Rogues Lane and A447/A47) have yet to be agreed and even if they are, there is currently no phasing schedule.

- The rat runs identified in the LCC Highways representations already carry a lot of non-resident traffic.
- Given the documented traffic issues that Stoke Golding and Dadlington already deal with and the lack of action by HBBC to resolve these issues through the implementation of traffic calming measures, it is regrettable that the Highways Authority is supporting the Barwell development.
- No objection to the principle of development once the problems relating to its integrations with the existing road infrastructure are resolved.

<sup>1</sup> representation received from David Tredinnick MP (12<sup>th</sup> April 2013) objecting to the application on behalf of his constituents on the following grounds:

- The Borough Council's SUE policy is fundamentally flawed as a very large number of local residents have pointed out over a number of years. The whole point of developing a SUE is to join the new neighbourhood to an existing urban area which already has the infrastructure and facilities to cope with the scheme - urban is the key word as Barwell is a semi-rural village that does fit the criteria for the SUE
- Application is premature in that the Area Action Plan has not been adopted.
- The plans fail to adequately tackle the key infrastructure issues in Barwell and the surrounding villages. Modelling for vehicle movements on the local road network does not deal with the reality of a transport system already operating beyond its optimum capacity. Crucially the Local Highway Authority is unable to support the plans for Barwell SUE.
- It is clear that the development of the SUE would undoubtedly add to the significant flooding/water management issues now being experienced on a regular basis in the area.
- Failure of the plans to demonstrate precisely how the development will bring about the much needed sustained regeneration of the existing commercial centre in Barwell. Without the necessary substantial investment in the village's key infrastructure, vague aspirations and the odd minor cosmetic improvement are no substitute for a properly thought out and supported long-term plan for Barwell's future.
- The SUE plan would inevitably have a negative impact upon the area's rich biodiversity and it is difficult to accept that green field land such as this should be lost to development where there are more suitable sites, including brownfield, where appropriate housing schemes would be welcomed.
- It is difficult to conclude anything other than the people of Barwell, and indeed residents in neighbouring settlements, were never consulted about the SUE scheme by the Borough Council in any meaningful way.
- The Barwell SUE proposals will also have a hugely detrimental impact on a number of neighbouring villages but none more so than Stapleton. Such a development will be detrimental to the rural character of this small community, the quality of life in the village and the general wellbeing of its residents. In this respect, the impact of vastly increased traffic through Stapleton on the A447 is of enormous concern to local residents.
- The vast majority of people believe the SUE is the wrong plan for Barwell and Stapleton as well as neighbouring settlements and residents do not want this massive development on valued green field land. The plans simply fail to provide any significant long term benefits for the community of Barwell – certainly none that outweigh the disadvantages. The proposals will only produce a starkly divided community in what will be a new and totally different Barwell. Therefore, far from delivering great sustainable benefit to Barwell the SUE scheme is

overwhelmingly seen as detrimental for the village and for a number of other local communities with Stapleton particularly badly hit.

- County Councillor Ivan Ould (12<sup>th</sup> April 2013) wishes to object to the application on behalf of Parishes of Stoke Golding, Higham on the Hill, Sutton Cheney, Sheeppy and Witherley, on the following grounds;
- The potential impact on small rural settlements of using the quickest route to places of work has not featured in the proposals. Unable to find any mitigation measures from additional traffic emanating from the SUE.
  - The County Council Cabinet has recommended to the Borough Council that an Area Action Plan (AAP) is needed that assessed not just the impact of the Barwell SUE but also the Earl Shilton SUE as well. The AAP also needs to take into account the needs of MIRA. In short, the Borough Council is premature in determining the Barwell SUE in isolation from these other requirements.
  - There is already flooding occurring throughout the local parishes. Any further flooding will stop commerce within the area and prevent the development of tourism.
  - The original location for the SUE, adjacent to both the A5 and the northern perimeter road would not have caused either the traffic or potential flooding problems. This would be a more suitable location to that of a semi-rural village.
  - Where will the cost of providing infrastructure in terms of roads, sewerage facilities, school places and road alterations be found?

A further email from Councillor Ivan Ould (received 16 April) stating that there are no mitigation measures for the Division which he represents. Mitigation measures should include chicanes to reduce traffic speeds, active speed cameras, 20 mph zones in villages, additional signage around Sutton Cheney Wharf, re-configuration of the crossroads at Dadlington/Fenn Lane and the resolution of the problems in Fenny Drayton.

Lexington Communications on behalf of the applicants have sent a letter to all members of the Planning Committee (including Councillors Bray and Gould) regarding the proposals for the Barwell SUE.

#### **Appraisal:-**

The objections raised have already been addressed and appraised within the planning committee report.

#### **Report updates**

- Paragraph 7.1 – refers to 'initial public consultation on the issues papers relating to the AAP began in November 2003'. This should read:-  
'initial public consultation on the issues papers relating to the Core Strategy began in November 2003. The issues paper looked at how growth within the Borough could be accommodated. Masterplan Stakeholder Workshops on the Barwell/Earl Shilton SUE Masterplan began in July 2009 and have continued until the submission of the application.
- Paragraph 18.12 - Barwell Parish Council made reference to funds being set aside for maintaining the bowling green. Maintenance contribution for the bowling green will be provided via the s106 and will be the responsibility of the Parish Council.

- Paragraph 21.11 – Policy 3 of the Core Strategy refers to the feasibility of providing some or all of the energy needs of the SUE by sustainable on site power generation will be investigated and if viable, implemented as part of the development. A number of low and zero carbon (LZC) technologies have been investigated and are discussed within the Energy Statement (April 2012). Given the life of the development and the current rate of change in this area, the applicants have advised that the exact approach and technology mix is selected at a more appropriate point in the development process. A condition is proposed securing this.

Policy 3 of the Core Strategy also refers to provision of a children's centre. The application proposes a children's nursery which is the same Use Class (D1) as a children's centre.

- Paragraph 24.1 – refers to the Leicester and Leicestershire HMA Employment Land Study. This study has been updated through the 'The Leicester and Leicestershire Housing Market Area (HMA) Employment Land Study 2013. The latest Report refers to an employment land requirement of 6.5ha within the Barwell SUE.

- Paragraph 24.5 – The final sentence should read...local market commercial terms....

- Paragraph 24.6 – Final sentence should read 'That issue has been addressed by substituting employment for residential.....'

- Paragraph 24.8 – The last bullet point should read 'Reasonable endeavours obligations to agree sale of freehold or leasehold terms on the employment site reflecting local market commercial terms or any part of it subject to expressions of interests being made by interested parties'.

- Paragraph 25.2 – "The £1.3m is for both off-site and on-site mitigation..." – This is incorrect and should read:-

"The £1.3m is for the places required by extension to existing schools. It is estimated that the cost of the new school will be £5.35m, including furniture and fittings and all necessary site works. The developer can construct the school at their own costs to an agreed specification"

- Paragraph 30.7 – Refers to 'population of brown hares on site is likely to be adversely affected by the development proposals'. The Environmental Statement (ES) states: *10.143 As a farmland species, habitat suitable for brown hare will be lost as the result of the development proposals. The surrounding agricultural land is, however, likely to provide suitable alternative habitat for this species which will also be able to use the central GI corridor along the River Tweed tributary.*

To conclude, the ES finds the brown hare population is not a valuable ecological receptor (VER) in the impact assessment due to low populations. The residual impact is negligible hence no mitigation is prescribed and the site is surrounded by suitable alternative habitat and includes suitable alternative habitat in the form of the Tweed Corridor.

- Paragraph 33.4 – Note that a condition is proposed to retain the historic hedgerows and extant ridge and furrow earthworks. This can be dealt with via condition 36 in relation to archaeology:

- Paragraph 44.5 – headings are not in bold and not numbered:-  
**Play and Open Space (maintenance)**  
**Play and Open Space (onsite provision)**
- Paragraph 44.7 – should read withdrawal space rather than withdraw space
- Paragraph 44.24 – amended to read “A contribution of £300,000 will be paid to HBBC and utilised for the purposes of apprenticeships and training opportunities in the following tranches.....”
- Paragraph 44.30 – Reference to the size of the policing facility should be deleted. The Heads of Terms refers to a contribution towards the extension of the George Ward Centre or provision of other off-site facilities in Barwell suitable for accommodating neighbourhood policing provision.
- Paragraph 44.39 – At present the Constitutional Club has 54 parking spaces. The developer has committed to retain these spaces for the public. An application to redevelop the Constitutional Club was submitted to the Authority on 22<sup>nd</sup> April.

**Para 29. Drainage and Flood Risk – update following representations received on flooding**

The Barwell SUE will be required to be in accordance with Government Policy of not increasing flood risk through the installation of Sustainable Urban Drainage Systems (SUDS). The Environment Agency and Severn Trent Water along with the Council has reviewed the evidence provided and are satisfied that with the imposition of conditions that the risk to both new and existing properties will be minimised. From April 2014 (current commencement date) a new SUDS Approval Board (located within the Leicestershire County Council) will approve all “on site” SUDS to nationally approved guidance and will be responsible for maintenance and inspection of SUDS structures such as balancing ponds, swales etc. The current system of SUDS schemes required by planning condition will continue until then. SUDS are designed to reduce the run off rate from sites to mimic the undeveloped state.

Existing flooding problems relate to the watercourses and culverts currently in place and should benefit from the improvements in the watercourse proposed such as the trash screens under Barwell Park. Investigations into the current causes are carried out by the Lead Local Flood Authority team at the Leicestershire County Council to determine actions in the short term to reduce the risk of flooding under severe downpours. Hinckley and Bosworth Borough Council implemented works at Mill Street following issues relating to the watercourse and culvert under Mill Street and no problems have been reported since. The reported flooding problems at Shenton are the subject of joint agency investigations to determine possible improvements.

The Barwell SUE development through the application of SUDS should not worsen this current situation as flows will be attenuated. Shenton is at a confluence of watercourses and drains a large area of countryside and a small area of urban development.

## Recommendation:-

### **Additional Conditions**

#### **Highways**

- No dwelling within any phase shall be occupied unless and until street lighting has been provided on the means of access serving that dwelling in accordance with details submitted to and approved in writing by the local planning authority.

*Reason – In the interests of public safety and the amenities of future residents in accordance with Policy T9 of the Hinckley and Bosworth Local Plan.*

- Dropped kerbs and ramps, suitable for wheelchairs and prams, shall be provided in the footways at all major pedestrian crossing points and at road junctions at the time such footways are constructed.

*Reason – For the safety and convenience of all pedestrians but in particular, the elderly, the disabled and wheelchair, pram and pushchair users and in accordance with Policy T9 of the Hinckley and Bosworth Local Plan.*

- No dwelling erected pursuant to this permission shall be occupied until the garage, car port and/or vehicle hard standing for that dwelling has been constructed, laid out and made available for use of the occupants and visitors of that dwelling in accordance with the approved reserved matters.

*Reason – To ensure the satisfactory provision of off-street vehicle parking facilities in the interests of highway safety and the satisfactory development of the site in accordance with Policy T5 of the Hinckley and Bosworth Local Plan.*

- No buildings erected pursuant to this permission for commercial purposes/residential shall be occupied unless and until cycle storage facilities have been installed in accordance with details submitted to and approved by the local planning authority and thereafter such facilities (or any approved alternatives) shall be maintained.

*Reason – To ensure cyclist facilities and hence sustainable transport choices are provided and maintained in accordance with Policy T9 of the Hinckley and Bosworth Local Plan.*

#### **Ecology**

- Before development is commenced there shall be submitted to and approved by the local planning authority in writing a programme and method statement for surveying and reporting on the presence and distribution of protected species within the application site. Surveys shall be carried out at least once every 3 years in accordance with the programme and method statement. The first survey shall be carried out not later than the third anniversary of the commencement of development and ending in the year in which the development of the last house authorised by this permission is substantially completed.

*Reason – To ensure that ecological surveys are kept up to date until the development is fully implemented in accordance with the overarching principles of the National Planning Policy Framework.*