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Chief Executive

Date: 01 December 2014

Hinckley & Bosworth
Borough Council

A Borough to be proud of

To: **Members of the Planning Committee**

Mr R Mayne (Chairman)	Mr KWP Lynch
Mr JS Moore (Vice-Chairman)	Mr K Morrell
Mr RG Allen	Mr LJP O'Shea
Mr JG Bannister	Mrs H Smith
Mr CW Boothby	Mr BE Sutton
Mr DS Cope	Miss DM Taylor
Mrs WA Hall	Mr R Ward
Mrs L Hodgkins	Ms BM Witherford
Mr MS Hulbert	

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

There will be a meeting of the **PLANNING COMMITTEE** in the De Montfort Suite - Hub on **TUESDAY, 9 DECEMBER 2014** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

There will be a meeting for members of the Planning Committee in the Hansom Lounge at 6.00pm.

Yours sincerely

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

Rebecca Owen
Democratic Services Officer

PLANNING COMMITTEE - 9 DECEMBER 2014

A G E N D A

7. TOWN & COUNTRY PLANNING ACT 1990 - APPLICATIONS TO BE DETERMINED
(Pages 1 - 4)

Schedule of planning applications attached.

PLANNING COMMITTEE 9 December 2014
LIST OF LATE ITEMS RECEIVED AFTER PREPARATION OF MAIN AGENDA:

ITEM 05

14/00816/FUL

Bellway Homes East Midlands Limited

Introduction:-

Since publication of the agenda the situation has changed in respect of the council's five year housing supply position. This is appraised in detail below.

Appraisal:-

The Sketchley House Burbage appeal decision (APP/K2420/A/13/2208318) was received on 18 November 2014. This decision was allowed. Notwithstanding the fact that the Appellant and the Council agreed common ground based on a lack of five year housing land supply, (calculated using the Sedgefield model and applying a 20% buffer), the Secretary of State endorsed the use of the Liverpool method of calculating supply and the application of a 5% buffer. The appeal decision identified that the Council is not considered to be a 'persistent under deliverer' of housing (and therefore a 5% buffer is justified) and also that if the current shortfall in housing supply were made up by the end of the plan period then provision would meet the full objectively assessed housing needs for the Borough (therefore justifying the Liverpool method).

Based on the Liverpool method and 5% buffer, as of 1 October 2014 the council's five year housing supply position is 5.22 years. This compares with the position at 1 April 2014, where the council had a supply of 4.25 years (using the Sedgefield method and a 20% buffer). It is acknowledged that the supply remains marginal and relies on the progression of large sites as set out in the Core Strategy and emerging Site Allocations Development Plan Document such as the SUEs at Barwell and Earl Shilton and the land west of Hinckley. A summary of the calculation is set out in the table below:

		Dwellings
a	Borough Housing Requirement (2006-2026)	9,000 450 per annum
b	Completions (1 April 2006 – 30 September 2014)	3,379
c	Remaining Borough Requirement over remaining 11.5 years (1 October 2014 – 31 March 2026) $((a-b) \div 11.5)$	5,621 489 per annum
d	Requirement for 5 years $(c \times 5)$	2,445
e	Requirement for 5 years with 5% buffer $((c + 5\%) \times 5)$ $(489 + 24 (5\%)) = 513 \times 5$	2,565 513 per annum
f	Housing Supply (1 October 2014 – 30 September 2019)	2,679
g	Overprovision/Shortfall $(f - e)$	+114
h	Number of years supply $(f / 513 \text{ dwellings per annum})$	5.22 years (5 years and 3 months)

The Secretary of State affirmed in that appeal decision that the council's housing supply policies as set out in the Core Strategy could be brought 'up-to-date', with the identification of additional housing land they cannot be considered inherently outmoded or redundant as they would be brought back up-to-date with a five year housing land supply. As the Council now has a five year supply of housing sites full weight can be afforded to Policy 8 of the Core Strategy which sets out that land will be allocated for a minimum of 110 dwellings within Desford.

Notwithstanding this, the National Planning Policy Framework sets out at Paragraph 14 that development proposals should be considered in the context of the presumption in favour of sustainable development and that the overall planning balance needs to be considered when applying weight to housing supply policies.

Therefore planning applications for residential development on sites which are considered to be sustainable in the planning balance should be given favourable consideration to ensure that the council continues to maintain its five year supply of deliverable housing sites particularly until commencement of delivery on the SUEs. Policy 8 of the Core Strategy expresses a minimum housing figure to enable the redistribution of growth as necessary across the borough.

As is set out in the main report this proposal for 65 units is considered to be sustainable. It would deliver 40% affordable housing and given the affordable housing need in this settlement this is considered to be a material consideration that should be given considerable weight in meeting the social needs of sustainability. In addition, it would be located close to centre of Desford with the facilities and services it offers. The impact on local infrastructure would be appropriately mitigated through the imposition of planning obligations for health, police, education, play and open space and sustainable travel. Overall, the proposal is considered to be sustainable in social terms.

The proposal would have limited environmental harm. Whilst the scheme would involve building on a greenfield site, it would be contained to the north east by the first phase of the Bellway Homes development currently under construction and the existing settlement of Desford to the south east. The proposal would retain all existing trees and hedgerows and would have a minimal landscape impact. The proposal is therefore considered to be environmentally sustainable.

The proposal would make a limited contribution towards economic growth through construction jobs and the associated economic benefit this would bring. The development is therefore considered to be economically sustainable.

Whilst the Council now has a five year supply of housing land for the reasons as set out above and in the main report this proposal is considered to be sustainable in the planning balance.

Recommendation:-

For the reasons set out above, the recommendation to grant planning permission remains appropriate, as set out in the committee report subject to conditions and the satisfactory completion of a S106 Agreement to secure planning obligations.

ITEM 07

14/00878/FUL

Mr Mark Seeman

Consultations:-

Market Bosworth Society requests that further consideration is given to a condition to require the parking of all construction vehicles to be within the application site given the existing congestion on Church Street. The Society strongly objects to the provision of hard standing for parking for Holy Bones within the front garden area which it suggests would adversely affect the setting of this important local building and therefore suggests that any decision be deferred to enable re-consideration of this aspect of the scheme with parking relocated to the rear.

Appraisal:-

Market Bosworth Conservation Area

The amended layout proposes two vehicle parking spaces within the front garden of Holy Bones to serve the existing dwelling. Notwithstanding the objections received to this aspect of the scheme, subject to appropriate surfacing the hard standing could be provided without the need for planning permission under permitted development rights. In addition, the proposal would not result in any loss of the hedgerow that fronts the highway boundary or any significant trees that would have a material adverse

impact on the character or appearance of the street scene and is therefore considered to be acceptable in this case.

Highway Safety

Following further discussions the agent has confirmed that a condition requiring all construction vehicles relating to the development to be parked within the application site would be acceptable. Therefore an additional condition is recommended to this effect.

Recommendation:-

Condition 10

All vehicles associated with the construction of the development hereby permitted shall be parked within the application site at all times.

Reason 10

To ensure that the construction phase of the development does not exacerbate on-street parking problems in the area to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

ITEM 08

14/00600/FUL

Elmleigh Properties Limited

Introduction:-

Since publication of the agenda the situation has changed in respect of the council's five year housing supply position. This is appraised in detail below.

Appraisal:-

As of 1 October 2014 the borough has a five year housing supply of 5.22 years. Therefore the housing supply policies as set out in the Core Strategy are considered to be up-to-date.

Notwithstanding this, the site is considered to be in a sustainable location within the settlement boundary where residential development is acceptable in principle. Therefore in the overall planning balance, when considering this proposal, the weight to be applied to the five year supply is considered to be limited in relation to the location of the site within the settlement boundary of Barwell and the fact that it constitutes brownfield land,, which render the development sustainable.

Recommendation:-

It is considered that Members should accept the recommendation as set out in the committee report.

ITEM 09

14/00937/FUL

Mr R Wynne

Consultations:-

Councillor Lay raises the following issues/concerns:-

- a) the site has grown too large for its footprint
- b) it is unclear how any further expansion could be undertaken should the need arise and the site is in the open countryside within the National Forest and adjacent to Billa Barra Hill
- c) hours of operation should be restricted to avoid adverse impacts on neighbours from noise and disturbance
- d) HGV's should not arrive and park outside the site prior to it being open
- e) at night and in the early morning, reversing beepers should be silenced and other non-noise warning mechanisms used
- f) when exiting the site, head lights should be dimmed to avoid glare to neighbouring properties

g) the company should instigate arrangements for local residents to report operational concerns so that they can be better addressed and actioned quickly.

Appraisal:-

Principle of Development

The proposed extensions and alterations are contained within the existing employment site and do not extend any further into the countryside. By virtue of the screening of the site provided by existing landscaping within and surrounding the site the proposal will not have any adverse effects on the character or appearance of the surrounding countryside, Billa Barra Hill or the setting within the National Forest.

Neighbouring Properties

The original building has no hours restriction for its operation. An extension to the south east side is restricted in its hours of use to between 6.00am to 8.00pm Mondays to Fridays and 6.00am to 12.00 noon on Saturdays and at no time on Sundays (references 95/00381/FUL and 96/00038/CONDIT). As the main part of the building has no hours restriction and the proposed extension to the north west side is further from any neighbouring residential properties it is considered that an hours restriction is not reasonable in this case. The proposed extension to the south east for pallet manufacturing will replace a temporary building used for that purpose that has a restriction on use to between the hours of 7.00am to 5.00pm Mondays to Saturdays (reference 14/00250/FUL) and a requirement for the erection of an acoustic fence to the north and east boundaries. As such it is considered to be reasonable and necessary to require further details of a noise attenuation scheme for this part of the site to be submitted for prior approval to protect the amenities of neighbouring properties.

Highway Safety

Leicestershire County Council (Highways) confirm that the current access and egress arrangements operating on the site are acceptable with HGV movements restricted to the Stanton Lane access only.

Recommendation:-

Additional Condition in respect of a noise attenuation scheme.

Condition 11: No development shall commence on the extension to the south east side of the building until a noise attenuation scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include full details of noise insulation measures to be used in the construction of the extension together with external mitigation measures and operational restrictions relating to the use of the extension and surrounding external yard area. The development shall then be implemented in accordance with the approved scheme prior to first use of the extension.

Reason 11: To protect the amenities of the occupiers of neighbouring properties in accordance with Policy BE1 (criterion i) of the adopted Hinckley and Bosworth Local Plan.

ITEM 11

14/00295/FUL

Mr Darren Price

Withdrawn at the request of the Chief Planning Officer
