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Hinckley & Bosworth
Borough Council

A Borough to be proud of

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

Date: 23 February 2017

To: **All Members of Council**

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 **COUNCIL** on **THURSDAY, 23 FEBRUARY 2017** at **6.30 pm**.

Yours sincerely

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

Rebecca Owen
Democratic Services Officer

SUPPLEMENTARY AGENDA

6. **QUESTIONS**

Questions received under Council Procedure Rule number 11.1

- (a) From Councillor Crooks to the Executive member for Regeneration, Asset Management and Growth:

“Would the Executive member please advise me (given the problems in Leicester City) whether we have adopted the Government’s standards of a minimum of 37 sqm for anyone building or converting buildings into flats in our local plan? If not, are we looking to amend our standards to cover this? This standard will prevent planning applications coming in sub-standard size and the council then being unable to refuse permission”.

Response from Councillor Surtees:

“The current local plan does not include the principles set out in the Government’s technical housing standards – nationally described space standard. However, where planning applications are received contrary to these standards, officers work with applicants to address significant issues and thus encourage better design and size standards such as making reference to current good practice. In addition, it has often been noted that poor quality proposals in terms of space standards fall short in other policy areas which means that they are not likely to gain support for approval. There is a strong commitment to address this policy gap and so we will be including policy and guidance related to appropriate housing standards in the new local plan that reflects and builds on the national standards.”

- (b) From Councillor Bray to the Executive member for Development Management:

“Could the Executive member please update Council on the latest position regarding the issuing of planning consent for the Barwell SUE and could he give his best estimate of when he expects this to be issued?”

Response from Councillor Rooney:

“I thank Cllr Bray for his question.

The position is that at Planning Committee on 3 March 2015, it was moved by Councillor Hulbert, seconded by Councillor Hodgkins and resolved that the Chief Planning & Development Officer be granted delegated powers to finalise all matters associated with the completion of the S106 agreement and the range, scope and drafting of all planning conditions and to issue outline planning permission.

Officers have since that time been endeavouring to finalise those details with the developers. Whilst the majority of the terms are agreed, it is only in the last week that a final draft of the Section 106 agreement has been returned from the developers. This is now being scrutinised by the council. Once this document is agreed and signed, the planning permission can be issued. The best estimate for this is April 2017. We will continue to press the developer to reach agreement and expedite the development,

which remains on course to being late 2017.”

(c) From Councillor Bray to the Executive member for Town & Urban Communities:

“Would the Executive member for car parks please look again at the situation for car parking for members of Hinckley Leisure Centre? At the previous site, members were given free use of the car park whilst using the centre. Since its relocation, this is no longer the case and residents living in Mount Road, Priesthills Road and other surrounding streets, who already suffer considerable parking problems, have found an increase in cars using their street from leisure centre users. Would he look at restoring the free passes as soon as possible to help alleviate this problem?”

Response from Councillor Ladkin:

“I am aware of the problems with on-street parking in Hinckley with residents finding parking difficult and I have been approached by a number of them, mostly wondering why a problem that has been getting worse for years has not been acted on. This is not a new problem and it is not specific to Hinckley. There are conflicts between residents and commuters, shoppers and workers in many town centres and around many local attractions across the country. There are in fact now 21% more public parking spaces in Hinckley than before the redevelopment of the leisure centre and the Crescent. In my view, the increased pressure on residential parking streets around the town centre may, in part, be due to the success of these developments (which the Lib Dem administration supported) causing increased demand for more employee long stay parking in surrounding streets.

I have already initiated a group of officers and members and other stakeholders to look into how we can best ameliorate this problem. We are just completing a car parks study to assess the demand and supply of car parks and to identify opportunities for improvements going forward. This is due for reporting over the coming months and we will ensure we continue to provide sufficient off-street parking to meet demand. As you may or may not be aware, LCC is responsible for on-street parking controls and they are currently undertaking a study into demand for on-street parking around Hinckley town centre. We will work with LCC to develop residents' parking schemes which are acknowledged as alleviating these problems in other parts of the country and which I believe are successfully operated by LCC in Loughborough.

As part of our town centre parking review, we will be reviewing the residents' parking permits and are seeking to increase the number available for use in identified HBBC car parks.

The parking charge for members at the leisure centre is 50p for up to three hours, which is adequate for most leisure activities and also a shopping trip into the town centre. This charge is lower than other town centre visitors who pay 50p for 1 hour and it is therefore likely that some people parking on-street are not members of the leisure centre.

The introduction of free car park passes for members would not be feasible and, in my opinion, would encourage non-leisure centre use causing clogging up of the car parks.

Our town centre car parks need to have good turnover so that there are adequate spaces for all users, including shoppers. I have requested that the leisure centre operator effectively communicates with its customers, asking them to be respectful in where they park their vehicles to avoid inconvenience to local residents, but we have no control at present over where non-leisure centre members choose to park.

Leisure centre members can now also park in the Castle car park.

To propose to reintroduce free parking for leisure centre members is simplistic and just moves the problem around.”

(d) From Councillor Nichols to the Executive member for Neighbourhood Services:

“Could the Executive member update me and local residents living in the Richmond Gate area, about what is being done to resolve the long running saga about opening up the access from that area into Richmond Park?”

Does he also agree that this needs resolving quickly as opening this gate would allow a safe access to Richmond Park and to the school, as well as easing congestion in the Tudor Road area at the start and the end of the school day?”

Response from Councillor Nickerson:

“As members may be aware, Leicestershire County Council has refused to adopt the flight of steps as they are not inclusive or compliant with the requirements of the Disability Discrimination Act 1995. However, in January 2014 they advised planning officers that they were happy for HBBC to discharge the planning condition as the access to the development was in place and therefore no further action was possible under the original condition. Officers will continue to liaise and negotiate with the developer, AR Cartwright, to see if they are willing to open up the pathway for the benefit of the residents. If this proves unsuccessful, officers will then prepare a report to Hinckley Area Committee for members’ consideration detailing the current position, proposals and risks to the authority in terms of the access. I can assure members that officers and I are frustrated with the current situation, which we will be seeking to resolve as soon as possible.”

(e) Question from Councillor Nichols to the Executive member for Development Services:

“As the lead member for planning you may or may not know, in the last few months in two different areas of Hinckley there have been two three-bedroom houses converted into Houses of Multiple Occupancy (HMOs) for up to six persons under the Town & Country Planning (General Permitted Development) England Order 2015. This has caused several complaints from residents in both areas, especially concerning parking and possible noise disturbances etc.

Article 4 of the Town & Country Planning (General Permitted Development) England Order 2015 states:-

If the Local Planning Authority is satisfied that it is expedient that development described in any ... class ... should not be carried out unless permission is granted for it on application, the Local Planning Authority may make a direction that the permission granted shall not apply to (a) all or any development of the class in question in an area specified in that direction.

The approval of the Secretary of State is not required for a direction made under the above, if the relevant authority considers the development would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area (Article 5(4) of the Permitted Development Order). Article 5 also contains the procedure for publicising a direction made by the local authority that a specific permitted development order does not apply to a specific area or areas.

Could the Executive member confirm that the council is looking at the application of Articles 4 and 5 of the Town & Country Planning (General Permitted Development) England Order 2015?"

Response from Councillor Rooney:

"Thank you for your question Cllr Nichols. I am aware of the two planning applications that you refer to and the significant level of neighbour objection to the change of use. I recognise that Houses in Multiple Occupancy can cause problems for local communities, particularly in relation to car parking and disturbance for neighbours. However, the government feels that the benefits of providing this type of accommodation outweigh the negative aspects, which has led to the relaxation of controls. We have a shortage of one-bedroom accommodation in Hinckley & Bosworth and these types of uses can help to meet that demand.

The resource implications of proceeding with an Article 4 direction are substantial and won't directly deal with the concerns recently raised in relation to these two planning applications. We need to remember that, even if the council introduces an Article 4 direction, that doesn't mean we are able to defend the refusal of planning permission in most cases without this being underpinned by specific planning policies relating to the concerns being expressed. Article 4 directions are more appropriate where there are high numbers of properties being converted in dense urban areas – such as in a university town or city. Whilst the suggestion isn't considered appropriate for Hinckley & Bosworth at this time, this will be kept under review if the problems become more significant in the future."

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