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Hinckley & Bosworth  
Borough Council

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

Date: 23 January 2019

**To: Members of the Planning Committee**

Mr R Ward (Chairman)	Mr C Ladkin
Mr BE Sutton (Vice-Chairman)	Mr KWP Lynch
Mr PS Bessant	Mrs J Richards
Mr DC Bill MBE	Mr RB Roberts
Mrs MA Cook	Mrs H Smith
Mr WJ Crooks	Mrs MJ Surtees
Mr MA Hall	Ms BM Witherford
Mrs L Hodgkins	Ms AV Wright
Mr E Hollick	

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, 22 JANUARY 2019** at **6.30 pm**.

Yours sincerely

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

Rebecca Owen  
Democratic Services Officer

**SUPPLEMENTARY AGENDA**

7. 18/00751/DEEM - LAND EAST OF LEICESTER ROAD, HINCKLEY

Proposal for erection of crematorium building and formation of associated memorial gardens, roadways, car parking, footpaths and landscaping.

'Late items:'

Appraisal:-

Paragraph 8.46 of the committee report states that the consideration of a replacement layby is being negotiated and an update will be reported as a late item. Discussions with Leicestershire County Council Highways are still ongoing as to if a replacement layby is necessary or if there is capacity available with the remaining layby which would remove the need for a replacement layby. LCC Highways are undertaking further survey work which will inform that request. The applicant is willing to sign a Section 106 to secure a replacement layby, if necessary. Therefore the recommendation has been amended to include an obligation for the provision of a replacement layby, if necessary.

A condition has been added requiring details of the lighting details of the scheme. This has been added to ensure light spillage from the site is minimised in the interests of visual amenity and to protect the rural character and appearance of the countryside and the amenities of the occupiers of neighbouring residential properties in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Recommendation:-

Grant planning permission subject to:

- The prior completion of a legal agreement to secure the following obligations:
- the provision of a replacement layby, if required
- Planning conditions outlined at the end of this report.

That the Interim Head of Planning be given powers to determine the final detail of planning conditions.

That the Interim Head of Planning be given delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

The conditions outlined in section 11.4 of the original report remain unchanged, with the exception of condition 2, which is amended to include additional updated plans and the addition of a condition requesting details of lighting.

Condition 2 is amended as follows:

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:-

Site Location Plan Drawing No. 02-91-004

Masterplan Drawing No. 02-01-001 Rev D

Site Plan Drawing No. 02-02-001 Rev D

Site Plan. 02-02-002 Rev D

Site Layout Plan Final Issue Drawing No. CDS\_HAB\_CRM\_53 Rev 00 (Sheet 1 of 5)

Highways Overview Drawing No. CDS\_HAB\_CRM\_53 Rev 00 (Sheet 2 of 5)  
Highways Entrance and Exit Detail Plan Drawing No. CDS\_HAB\_CRM\_53 Rev 00 (Sheet 5 of 5)  
Coach and Car Swept Path Analysis Plan Drawing No. CDS\_HAB\_CRM\_52 Rev 00  
Landscape Plan Final Issue Drawing No. CDS\_HAB\_CRM\_53 Rev 00 (Sheet 3 of 5)  
Planting Schedules Drawing No. CDS\_HAB\_CRM\_11 Rev 04  
Drainage Plan Final Issue Drawing No. CDS\_HAB\_CRM\_53 Rev 00 (Sheet 4 of 5)  
Utilities Plan Drawing No. CDS\_HAB\_CRM\_09 Rev 00  
Ground Floor Plan Drawing No. 02-03-000 Rev D  
Roof Plan Drawing No. 02-03-001 Rev B  
Building Elevation A-A Drawing No. 02-05-001 Rev D  
Building Elevation B-B Drawing No. 02-05-002 Rev D  
Building Elevation C-C Drawing No. 02-05-003 Rev D  
Building Elevation D-D Drawing No. 02-05-004 Rev D  
Building Elevation E-E Drawing No. 02-05-005 Rev A  
Building Elevation F-F Drawing No. 02-05-006 Rev A  
Building Elevation G-G Drawing No. 02-05-007 Rev B  
Building Elevation H-H Drawing No. 02-05-008 Rev B  
Building Section A-A Drawing No. 02-04-010 Rev A

Reason: To define the permission and ensure satisfactory impact of the development to accord with Policies DM1, DM6, DM7, DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Add additional condition:

18. No development above foundation level of the crematorium building hereby permitted shall take place until full details of the external lighting system to serve the building and wider site has been submitted to and approved in writing by the local planning authority. The development shall then be implemented in accordance with the approved details and be completed prior to first use of the site and once provided shall be permanently so maintained at all times thereafter.

Reason: To minimise light spillage from the site in the interests of visual amenity and to protect the rural character and appearance of the countryside and the amenities of the occupiers of neighbouring residential properties in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

8. 16/00758/FUL - 121 STATION ROAD BAGWORTH

Proposal for erection of 10 no. dwellings and 2 no. flats (100% Affordable Scheme).

'Late items:'

Introduction:-

The agent has confirmed that the two flats reported as 'social rent tenure' is incorrect and the tenure is 'affordable rent'.

Consultations:-

A late objection has been received by a neighbour concerned with the lack of parking;

Appraisal:-

The objections regarding parking have been assessed in the Report, there is nothing new on the neighbours objection that has not already been considered.

The nuances in the explanation of the tenure of the dwellings does not alter the types of accommodation proposed.

Recommendation:-

The late items are brought to the Committee for information only and require no changes to the scheme as proposed or the officers recommendation.

9. 17/00538/FUL - MORRISONS, 2 CLOVERFIELD, HINCKLEY

Proposal for creation of second vehicular exit onto Stoke Road.

'Late items:'

Consultations:-

One further letter of objection has received raising the following concerns:-

- 1) Impact upon neighbouring properties in respect of light pollution and shining of car headlights
- 2) New exit would become a shortcut for vehicles leaving the adjacent business park
- 3) Cars would still attempt to turn right from the proposed exit
- 4) Impact upon pedestrian and highway safety
- 5) Peak times traffic congestion from schools and business parks

LCC Highways has submitted comments on the amended plans stating they have no objections subject to conditions and a contribution of £7500 to secure a Traffic Regulation Order to enforce against illegal right turns from the new exit.

Appraisal:-

Due to the separation distances and line of mature trees sited between the proposed exit and the properties on Thruxton Close, it is not considered that the development would result in vehicles headlights using the exit causing an adverse impact upon the residential amenity of these properties.

Other concerns raised regarding the shortcut from the business park, pedestrian and highway safety and congestion during peak times have been previously assessed in the committee extract. It is not considered that the proposed exit would impact upon the users of the nearby bus stops. It should also be noted that the submitted road safety audit did include the safety of pedestrians and school children.

Policy DM3 of the SADMP seeks to ensure that, where development creates a need to provide additional or improved infrastructure, amenities or facilities, developers make provision directly or indirectly through the appropriate funding mechanism. This policy allows for a reduced infrastructure provision where it can be justified with the appropriate supporting evidence.

The lawfulness of developer contributions must be considered alongside the requirements contained within the Community Infrastructure Levy Regulations (CIL). The regulations require that where developer contributions are requested they need to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed.

Leicestershire County Council (Highways) have requested a contribution of £7,500 for a Traffic Regulation Order (TRO) to prohibit vehicles turning right out of the proposed exit. This contribution is required to prevent right turns out of the exit and would allow the appropriate mechanisms to enforce the breach.

The contribution requested and identified above is considered to be necessary to satisfactorily mitigate the impact of the proposed development on the local highway network and to make the development acceptable in planning terms. The contribution is directly related and fairly and reasonably related in scale and kind to the development proposed and therefore CIL compliant. The contributions could be secured through the completion of a suitable unilateral undertaking which is currently under negotiation.

Recommendation:-

Grant planning permission subject to:-

- The prior completion of a S106 agreement to secure the following obligations:
  - o Transport contribution to secure a Traffic Regulation Order of £7,500
- Planning conditions outlined on the committee extract

That the Interim Head of Planning be given powers to determine the final detail of planning conditions.

That the Interim Head of Planning be given delegated powers to determine the terms of the s106 agreement including trigger points and claw back periods.

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