

# Public Document Pack



Hinckley & Bosworth  
Borough Council

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

Date: 18 September 2019

**To: Members of the Planning Committee**

Mrs MJ Crooks (Chairman)	Mr A Furlong
Mr DJ Findlay (Vice-Chairman)	Mr SM Gibbens
Mrs CM Allen	Mr E Hollick
Mr RG Allen	Mr KWP Lynch
Mr CW Boothby	Mrs LJ Mullaney
Mr MB Cartwright	Mr RB Roberts
Mr DS Cope	Mrs H Smith
Mr WJ Crooks	Mr BR Walker
Mr REH Flemming	

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, 17 SEPTEMBER 2019** 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. 19/00253/CONDIT - CROWN CREST PLC, DESFORD LANE, KIRBY MUXLOE

Application for variation of Condition 11 of planning permission 10/00332/FUL and planning permission 12/00313/CONDIT to extend the permitted days and hours during which deliveries can be taken at, or dispatched from, the site to: Mondays to Fridays (including Bank Holidays) 06.00 to 23.00; Saturdays 08.00 to 18.00 and Sundays 09.00 to 13.00.

'Late items:'

**Consultations:-**

Leicestershire County Council (Highways) has issued the following position statement in respect of the application:

'Leicestershire County Council (LCC) as Local Highway Authority in its role as statutory consultee has responded to several consultations from Hinckley and Bosworth Borough Council (HBBC) on application 19/00253/CONDIT to vary condition 11 of planning permission 10/00332/FUL to extend the permitted days and hours during which deliveries can be taken at Crown Crest PLC, Desford Lane, Kirby Muxloe. When reviewing the application, all submitted information has been considered, including a review of a supporting Transport Statement containing survey information. The advice provided has remained consistent. This advice is that it cannot be demonstrated that the proposed variation of condition would have a severe impact on the public highway, or be detrimental to highway safety.

As part of our review of the planning application we have considered monitoring information including that submitted by Kirby Muxloe HGV Action Group to HBBC. In Observations dated 2nd August 2019, we advised that the information does not change the advice provided given that there are no planning conditions on the Crown Crest site that restrict the number of HGV movements or designated route choice.

LCC have received a number of representations from residents of Kirby Muxloe and Markfield in respect of the impact of this application on residential amenity. Some of these representations have included requests for survey information on the functioning of the local highway network. LCC continually monitors the local road network and any route that shows evidence of an escalating safety or congestion issue will undergo further investigation. These requests for information do not relate directly to this planning application and have been responded to separately.'

Neighbour Consultation

An additional 15 objection letters have been received, 5 of which are from additional separate addresses to those reported in the main agenda. The additional letters raise the same issues reported in the main agenda report.

A petition on behalf of Kirby Muxloe HGV Action Group has been submitted containing 1121 signatures of Kirby Muxloe residents objecting to any change of conditions of operation by Crown Crest. The petition states that:

'We the undersigned residents of Kirby Muxloe, strongly oppose the application by Crown Crest to increase the number of days and hours of their operation. We believe that the change of conditions is unreasonable and that the existing level of HGV traffic through our village already exceeds what was predicted, is excessive, is a clear violation of our amenities and causes disturbance, noise and air pollution which are detrimental to our health and well-being.'

The Kirby Muxloe HGV Action Group have also submitted additional annotated images of HGV lorries passing through the village suggesting how their presence impacts on highway and pedestrian safety and residential amenity.

#### **Appraisal:-**

The issues raised in the additional objection letters have been assessed in the main agenda report.

#### **Recommendation:-**

Since the committee report was written and the agenda published, the applicant has lodged a planning appeal on the grounds of non-determination of the application. As such the application cannot now be determined by the Planning Committee. However, the Planning Committee still needs to consider the proposal and decide what the outcome of the application would have been had it been able to determine the application.

**The recommendation in the report is therefore amended to:**

**Resolve that the Planning Inspectorate be notified that planning permission should be refused for the reason set out in the main agenda report.**

8. 19/00625/DEEM - AMBION COURT, SOUTHFIELD WAY, MARKET BOSWORTH

Application for demolition of the existing sheltered flats and the construction of 24 sheltered flats (for the over 60s) and three bungalows with associated car parking and landscaping.

'Late items:'

#### **Amendment to condition 5**

5. No development shall take place until a scheme of hard and soft landscaping including boundary treatments and replacement tree planting along with a implementation scheme, has been submitted to and approved in writing by the local planning authority. The scheme shall be carried out in full accordance with the approved details prior to the first occupation of the development. 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 or those that are agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016)

#### **Additional Note to Applicant**

3. Any Building Regulations application should include methods for energy efficiency in construction as set out in the Design and Access Statement.

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