

# Public Document Pack

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

Date: 29 September 2020



**Hinckley & Bosworth  
Borough Council**

**To: Members of the Planning Committee**

Cllr MJ Crooks (Chairman)	Cllr A Furlong
Cllr DJ Findlay (Vice-Chairman)	Cllr SM Gibbens
Cllr CM Allen	Cllr E Hollick
Cllr RG Allen	Cllr KWP Lynch
Cllr CW Boothby	Cllr LJ Mullaney
Cllr SL Bray	Cllr RB Roberts
Cllr DS Cope	Cllr H Smith
Cllr WJ Crooks	Cllr BR Walker
Cllr 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, 29 SEPTEMBER 2020** 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. **19/01405/OUT - LAND NORTH OF DEEPDALE FARM, LUTTERWORTH ROAD, BURBAGE**

Application for residential development of up to 135 dwellings (Outline- access only).

Late items received after preparation of main agenda:

**Recommendation:-**

Condition 10 should be amended to read as follows:

The new vehicular access hereby permitted shall not be used for a period of more than one month from being first brought into use unless any existing vehicular access on B578 Lutterworth Road that become redundant as a result of this proposal have been closed permanently and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

Condition 21 should be amended to read as follows:

Any Reserved Matters application considering matters of layout shall be accompanied by an updated Biodiversity Metric Calculation, demonstrating that the layout does not result in a net unit change that results in a loss less than -21.51 habitat units and -1.46 hedgerow units as a result of the development carried out within the site identified on the submitted site location plan. Reason: To accord with Policy DM6 of the Site Allocations and Development Management Policies Plan Document (2016) and paragraph 175 of the NPP (2019).

8. **19/01407/FUL - LAND TO THE EAST, WALLACE DRIVE, GROBY**

Application for change of use of land to 2 No. Gypsy / Traveller pitches comprising of 2 static caravans, 1 day room and 2 No. touring caravans and associated infrastructure.

Late items received after preparation of main agenda:

**Consultations:-**

Paragraph 6.4, point (4) should be replaced with:-

- 4) The right of access stated in the application via Wallace Drive is disputed by the owner of that land and there have been gates and a fence erected. A Barrister has confirmed that the applicant does not have a legal right of way

An additional letter has been received raising the following additional matters:-

- In 2016 the Inspector was not satisfied as to the practicality of bringing two static caravans onto the site either via Wallace Drive or directly from the A50, which was fundamental and was not a matter which could be conditioned
- The tracking information submitted as part of the application does not stand up to scrutiny

- The applicant has no control over the access to the A50
- There has been no tracking information for the A50/Lena Drive Junction
- No tracking information for a car and touring caravan to proceed down Wallace Drive access been received
- The Highways Authority has disregarded the Independent assessment
- An additional reason for refusal should be included on the lack of evidence in being able to practicability of accessing the site

### **Appraisal:-**

Impact upon highway safety and transport

Paragraph 8.19 of the committee report notes that the LPA has instructed independent highway advice to appraise and consider the manoeuvring of caravans beyond the highway boundary, the findings of which will be reported by late item.

This independent advice has been received by the LPA. The independent advice has looked at tracking a vehicle towing a caravan using a larger 4 wheel drive vehicle and a twin axle caravan. The advice provided, identifies that when entering from Wallace Drive the manoeuvring required further along the track, would not be possible without body overhang and with no margin for error. Exiting from the application site along the track toward Wallace Drive has also been considered, and if the full extent of the track as shown on Ordnance Survey is not available, which is the case following a site visit, then exiting the site towing a caravan would not be possible.

Following this advice it is evident that, notwithstanding the dispute regarding legal right of access, that the access from Wallace Drive is not of sufficient width and geometry to allow a touring caravan and car to access the site. As a result of this information, it is therefore likely that the occupiers would utilise the established access track via the A50. This would result in an unacceptable increase in traffic using the A50 access, which would lead to vehicles giving way within or reversing onto an A classified road detrimental to highway safety. Contrary to Policy DM17 of the Site Allocations and Development Management Policies DPD, Policy 18 of the Core Strategy and paragraph 109 of the NPPF.

### **Recommendation:-**

Amend reason for refusal 1 to read:

1. The access as proposed via Wallace Drive does not provide an access track of sufficient width and geometry to allow a touring caravan and car to access the site. In the absence of a suitable access track width from Wallace Drive it is likely that the occupiers would utilise the established access track via the A50. The proposed development would therefore result in an unacceptable increase in traffic using the A50 access that also has inadequate width and geometry. This would lead to vehicles giving way within or reversing on to an A classified road subject to a 40mph speed limit which would have a **severe** impact on highway safety. This would be contrary to Policy DM17 of the Site Allocations and Development Management Policies DPD, Policy 18 of the Core Strategy and paragraph 109 of the NPPF.

Reason for refusal 2 remains unchanged.

### **9. 20/00411/FUL - 23 MASEFIELD DRIVE, EARL SHILTON, LE9 7GS**

Application for two storey side and single storey rear extension and creation of new vehicular access to front.

Late items received after preparation of main agenda:

**Consultations:-**

A letter of objection from the Earl Shilton County Councillor has been received raising the following concerns:

Adverse highways safety impacts caused by the proposed vehicular access on to Breach Lane

No vehicular accesses onto Breach Lane were included in the scheme approved for the original housing development.

**Appraisal:-**

The recommendations to committee have not changed from the original report.

**Recommendation:-**

Approve