

# Public Document Pack

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

**Date: 15 March 2022**



**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 L Hodgkins
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, 15 MARCH 2022** at **6.30 pm**.

Yours sincerely

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

Rebecca Owen  
Democratic Services Manager

## PLANNING COMMITTEE - 15 MARCH 2022

### SUPPLEMENTARY AGENDA

#### 8. 21/00691/FUL - RATBY SPORTS CLUB, DESFORD LANE, RATBY

Application for four temporary mobile classrooms for educational use, play area, 2.1 metre high gates and fence

Late items received after preparation of agenda:

##### Consultations:-

Confirmation received on behalf of Ratby Cricket Club that they have no objections to the above application.

#### 9. 21/01189/FUL - LAND REAR OF 8 WYKIN ROAD, HINCKLEY

Application for one dwelling

Late items received after publication of agenda:

##### Consultations:-

Seven letters of objections from separate households have been received since the committee report was written raising the following concerns:

1. The drawings and plans provided for the new plan showing the proposed 4 bedroom dormer bungalow are incorrect in the detail shown and too many dimensions have been omitted. Insufficient detail for planning evaluation.
2. There is insufficient parking provision for 4 bed bungalow with no provision for visitor parking. The turning circles provided are inadequate. On street parking is inevitable.
3. The parking for the existing property at 8 Wykin road is inadequate and turning circles impossible for 2 car parking.
4. The drawings do not show the new development properties at 12 Wykin road - 7 properties. There is no consideration of how the dormer bungalow will affect these properties.
5. The drawings do not show the new extension erected on the property at 10 Wykin road.
6. The drawing shows 2 cars side by side on the west side of existing property at 8 Wykin road - this is impossible.
7. The property will encroach upon the privacy of 8, 10 Wykin road and the Pepper box existing developments. This is contrary to HBBC planning criteria.
8. Bin collection allocated position is located too close to rear garden access road.
9. There is no safety protection for side door exit for occupiers of existing property of 8 Wykin road.
10. The access flays are totally inadequate - see previous conditions demanded for visibility at 12 Wykin road. This pavement is a major thoroughfare to Redmoor academy.
11. The development is not in a position to control access visibility at the border of 10 Wykin road.
12. The development is not in a position to control access visibility at the border of 6 Wykin road.
13. The plans do show the relationship between the border of 8 and 10 Wykin road at critical zone of property of 10 Wykin road and access road to new development on

- 8 Wykin road.
14. The gardens afforded to the existing property at 8 Wykin road and new property in original back garden are not in character with surrounding properties. This is against HBBC policy and standards.
  15. No provision on site for storing building materials, parking of construction workers vehicles.
  16. No provision for cleaning of construction vehicles prior to site exit.
  17. Development too close to existing properties at 6, 8 and 10 Wykin rd.
  18. Newly erected building at 6 Wykin road severely impacts visibility of exit from 8 Wykin road,
  19. No provision for separate pedestrian access to 8 Wykin road.
  20. Impact upon school traffic and student (high h&s impact)
  21. Inadequate turning provisions on site. Fire fighting vehicle would not be able to access and manoeuvre on site.
  22. No allowance for delivery of goods and access by service/emergency vehicles.
  23. There would be an adverse impact on the amenities of existing and future occupiers of houses in the neighbourhood with respect of noise, disturbance and privacy. This contrary to HBBC policy.
  24. The lack of build program and control parameters to be set by HBBC has resulted in mayhem on the roads and pavements on similar back garden building projects in Wykin road. Invalidity vehicles have been seen to zig zag across Wykin road to achieve their objective direction.
  25. There is a serious health and safety issue which should be paramount in any decision planning decision made by HBBC. The HBBC has a responsibility to abide by their policy documents and failure to abide makes them accountable.
  26. Inadequate turning circle and space at front parking allocations to allow a vehicle to manoeuvre safely onto Wykin Road.
  27. Failure to observe National Planning Framework (NPPF) has been observed in this application.
  28. New cycle observation regulations has made Wykin Road a permanent congestion zone unless contractor traffic is enforced to be parked on the land of 8 wykin road by HBBC planning.
  29. Wykin road is a narrow main tributary road to Redmoor College and Hinckley town centre. This road is used by local bus company requiring two lanes of traffic flow to eliminate congestion and on road parking is a major problem for this traffic flow.
  30. This planning application does not abide by HBBC Site Allocations and Development as defined in documents DM1 and DM10.
  31. Inadequate turning circle and space at front parking allocations to allow a vehicle to manoeuvre safely onto Wykin Road. Turning circle of 5.85m is required for 1.76m wide vehicle (smaller vehicle than a Peugeot 208).

Comments from the HBBC Waste team: The collection point for domestic recycling, garden waste and refuse is from the adopted highway boundary. Drawing reference number 04d shows the Bin Collection Point is in such a place that it does meet the needs of the household waste collection service.

Comments from LCC Highways: The proposal has been amended to the erection of one four-bedroom dwelling as opposed to two dwellings and the erection of an access gate to serve the new dwelling that is proposed to be located adjacent to 8, Wykin Road. The LHA responded on 14 December to the proposal for two new dwellings advising conditional approval.

The site access is onto Wykin Road, an adopted unclassified road northwest of Hinckley town centre subject to a 30mph speed limit. The Applicant proposes amendments to the existing access which will be shared between 8, Wykin Road and the proposed dwelling.

The LHA are satisfied that drawing, 'Site plan and 3D sketch', drawing No. 21/96-04d created by Haywards Architects which shows an access width of 4.8 metres, surfaced with hard-bound material for 8.6 metres from the public highway is in accordance with Part 3, Paragraph 3.215 of the Leicestershire Highways Design Guide (LHDG). The location and inward opening nature of the proposed gate accords with Part 3, Paragraph 3.215 of the LHDG. The LHA are further satisfied that drawing, 'Block Plan' created by Haywards Architects, drawing No. 21/96-01e shows that visibility splays can be achieved that are in accordance with Part 3, Paragraph 3.26 and Paragraph 3.215 of the LHDG.

There have been two reported Personal Injury Collisions (PIC's) within 200 metres of the proposed development in the previous five years. Both were recorded as 'slight' in severity. These both occurred at the junction of Wykin Road with Stoke Road/ Hollycroft. One PIC involved a vehicle and a cyclist, however no details have been received from the Police in respect of the other. Notwithstanding these PIC's, the LHA considers the proposals are unlikely to exacerbate the current situation.

Part 3, Paragraph 3.173 of the LHDG states that a four-bedroom dwelling should have a parking provision of at least three spaces. The LHA are satisfied that drawing 'Site plan and 3D sketch' shows two parking spaces that are each 5.5 metres in length and although not labelled it would appear that a 2.4 metre width for each space is achievable and therefore in accordance with Part 3, Paragraph 3.188 of the LHDG.

Drawing 'Dormer Bungalow' created by Haywards Architects, drawing No. 21/96-06d shows a 3.7 metre wide garage however the LHA are unable to determine the proposed length of the garage as the drawing contains a note advising that it cannot be scaled. Single garages should be at least 6m x 3m in size with a minimum door width of 2.3 metres as to be in accordance with Part 3, Paragraph 3.225 of the LHDG. The LHA are satisfied that even if the proposed garage length does not accord with Part 3, Paragraph 3.225 of the LHDG that there is sufficient space for a third external parking space to be provided.

#### Conditions

1. Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 4.8 metres, and shall be surfaced in a bound material for a distance of at least 5 metres with a 5.5 metre dropped crossing. The access once provided shall be so maintained at all times.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

2. No part of the development hereby permitted shall be occupied until such time as 2.0 metre by 2.0 metre pedestrian visibility splays have been provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway and, once provided, shall be so maintained in perpetuity.

REASON: In the interests of pedestrian safety and in accordance with the National Planning Policy Framework (2021).

3. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 metres by 43 metres have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of

traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2021).

4. The development hereby permitted shall not be occupied until such time as three designated parking spaces to serve the proposed dwelling have been implemented. Thereafter the on site parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

5. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of five metres of the highway boundary.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).

#### Informative

The Applicant may need to apply to the LHA for a Vehicle Access (dropped kerb) permit before undertaking any works. Further details of the requirements can be found at <https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-access-dropped-kerbs>.

The Applicant should note that the approval of planning permission does not guarantee permission for the required permit.

#### Appraisal:-

The minimum measured separation distance between the front of the proposed dwellings and the rear of the neighbouring property at number 10 Wykin Road would be 16.5 metres. This is less than the minimum recommended 21 metres separation distance set out in the Good Design Guide SPD, however that distance is for principal windows that directly face each other. The windows to the neighbouring property at number 10 Wykin Road do not directly face the proposal.

The rear garden sizes are 60sq metres, this is the minimum amount required for two bedroom dwellings as set out in the Good Design Guide SPD. The garden sizes are therefore in compliance with policy.

#### Recommendation:-

The recommendation remains unchanged from that set out in the main agenda.

#### 10. **20/01374/FUL - BREACH LANE FARM, BREACH LANE, EARL SHILTON**

Application for change of use of land for the storage, repair, restoration and sale (ancillary) of vehicles, associated shipping containers and area of hardstanding (sui generis) (part retrospective)

Late items received after preparation of agenda:

#### Consultations:-

Following revision to the application form, re-consultation was sent to all previous consultees. The date of expiry for these response is 15<sup>th</sup> March 2022.

We are still waiting responses from the Environment Agency, Ramblers Association, Leicestershire Footpaths, Earl Shilton Town Council and LHA.

We have received responses from Ecology, Environmental Health and Waste. No additional objections have been raised subject to conditions.

An additional letter of representation has been received on behalf of a neighbour raising an objection and the following points:

- Concerned about the way in which the application has been carried out and the answers provided in the planning application form
- Conflict with DM4
- Inadequate officer assessment of DM4
- Ancillary sales is not included in the description
- Conflict with DM17
- Conflict with DM7
- No highway assessment
- Impact on highway safety and capacity
- Ecology
- Impact on neighbour amenity/visual impact
- Procedural errors

#### **Appraisal:-**

The Officer recommendation remains as previous, to allow delegated powers to approve subject to conditions. These conditions, amongst the standard time and plans conditions, include the following:

- Restriction on the occupancy of the dwelling to the proposed business use.
- Restriction of ancillary sales
- Restriction on outside storage of vehicles
- Landscape implementation and management
- Restriction on delivery times
- Ecology enhancement
- Waste management
- Noise and dust management plan
- Hours of operation restricted
- Highway conditions